

EMMANUEL LAFOREST
FRANCOIS vs VICTORY AUTO GROUP, LLC

October 25, 2022

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13	On behalf of Defendants, Victory Auto Group LLC	13	
14	d/b/a Victory Mitsubishi, et al.:	14	
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24		24	
25		25	

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<p style="text-align: right;">Page 5</p> <p>1 IT IS HEREBY STIPULATED AND AGREED, 2 by and between counsel for the respective 3 parties hereto, that the filing, sealing 4 and certification of the within deposition 5 shall be and the same are hereby waived; 6 IT IS FURTHER STIPULATED AND AGREED 7 that all objections, except as to the form 8 of the question, shall be reserved to the 9 time of the trial; 10 IT IS FURTHER STIPULATED AND AGREED 11 that the within deposition may be signed 12 before any Notary Public with the same 13 force and effect as if signed and sworn to 14 before the Court. 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 7</p> <p>1 E. Laforest 2 witness. Mr. -- Mr. Laforest, please raise your right 3 hand. 4 EMMANUEL LAFOREST, 5 having been first duly sworn, testified as follows: 6 THE REPORTER: Counsel, you may begin. 7 DIRECT EXAMINATION 8 BY MS. CATERINE: 9 Q. All right. Mr. -- is it Laforest, or Laforey, 10 or how do you pronounce it? 11 A. Laforest. 12 Q. Laforest. All right. Mr. Laforest, did you 13 go to a Victory Mitsubishi dealership? 14 A. Yes. 15 Q. And when you went to the Victory Mitsubishi 16 dealership, was anyone with you? 17 A. No. I was by myself. 18 MR. SELVEY: Objection. Can we clarify 19 what -- 20 MR. KESHAVARZ: No. Objection. Form. That's 21 all you get to say. Go ahead. 22 MS. CATERINE: So -- 23 MR. KESHAVARZ: Did you get the answer? 24 BY MS. CATERINE: 25 Q. So do you remember the date you went to the</p>
<p style="text-align: right;">Page 6</p> <p>1 E. Laforest 2 THE REPORTER: We are going on the record. 3 The time is 2:12 p.m. Eastern Standard Time. Good 4 afternoon. My name is Keith Taylor and I'm the state 5 of New York notary and reporter assigned by Esquire 6 Deposition Solutions. I request all parties stipulate 7 and agree that this will be the deposition of Emmanuel 8 Laforest in the case of Farah Jean Francois v. Victory 9 Auto Group, LLC, doing business as Victory Mitsubishi. 10 Before going on the record, the witness 11 positively identified himself to me as Emmanuel 12 Laforest by ID card issued by the state of New York, 13 and the witness is presently located in Brooklyn, New 14 York. Counsel, will you please state your appearance 15 for your -- for the record, your firm, who you 16 represent, and that you agree to stipulate that I may 17 place this witness under oath and report this 18 proceeding. 19 MS. CATERINE: Emma Catherine, Law Office of 20 Ahmad Keshavarz for the plaintiff, Farah Jean Francois. 21 MR. KESHAVARZ: And Ahmad Keshavarz, Law 22 Office of Ahmad Keshavarz. We so stipulate. 23 MR. SELVEY: Patrick Selvey, Nicholas Goodman 24 & Associates for the defendants, so stipulate. 25 THE REPORTER: I will now swear in the</p>	<p style="text-align: right;">Page 8</p> <p>1 E. Laforest 2 Victory Mitsubishi dealership? 3 A. No, I'm not sure. It was a while ago. I 4 think it was, like, in 2020, if I'm not mistaken. 5 Q. Uh-huh. And you went to the dealership to 6 purchase a vehicle in the name of Ms. Francois; is that 7 correct? 8 A. Yeah. Correct. 9 Q. And if I told you that you went to the 10 dealership on May 30th, 2020, does that sound right to 11 you? 12 A. Yeah, I think so. 13 Q. And then you went again on June 29th, 2020. 14 Does that sound right? 15 A. No. I didn't go back -- I didn't go back at 16 all. 17 Q. I see. So you only went one time? 18 A. Yeah. 19 Q. On May 30th? 20 A. Yeah. 21 Q. Okay. And you never went to the dealership 22 again, just that one time on May 30th? 23 A. I went back in September to the return to car. 24 Q. Right. And that was around September 17th. 25 Does that sound right?</p>

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<p style="text-align: right;">Page 9</p> <p>1 E. Laforest</p> <p>2 A. Yeah.</p> <p>3 Q. So could you describe for me what happened, in</p> <p>4 your own words, when you went to the dealership on May</p> <p>5 30?</p> <p>6 A. When we went to dealership, they ran my</p> <p>7 credit. And then they ran her credit and they said</p> <p>8 they could do to car under her name. And I said okay.</p> <p>9 And after that, I spoke to her and she said it was okay</p> <p>10 because -- but I mean, some of the car was going -- was</p> <p>11 going to be paid -- fully paid off. Well -- and then I</p> <p>12 guess she just changed her mind.</p> <p>13 Q. Okay. How did you decide to go to this</p> <p>14 dealership in particular?</p> <p>15 A. What do you mean?</p> <p>16 Q. What -- what was it -- what brought you to the</p> <p>17 dealership? Did you see, like, an ad or what -- what</p> <p>18 brought you to that dealership specifically?</p> <p>19 A. I just knew about it.</p> <p>20 Q. Okay. Did you go to any other dealerships</p> <p>21 before then, looking to purchase a vehicle?</p> <p>22 A. Yeah, I went to one.</p> <p>23 Q. And do you recall the name of that dealership?</p> <p>24 A. Somewhere -- somewhere on Kings Highway. I'm</p> <p>25 not too sure.</p>	<p style="text-align: right;">Page 11</p> <p>1 E. Laforest</p> <p>2 then he ran -- he ran my -- like I said, he ran the</p> <p>3 credit scores and then he told me -- he gave me the car</p> <p>4 that -- that I got approved for and that was it really.</p> <p>5 It wasn't really much set up, that -- it was just a</p> <p>6 whole bunch of paperwork and time wasted.</p> <p>7 Q. Did they tell you that you were being recorded</p> <p>8 when you were filling out the paperwork?</p> <p>9 A. No.</p> <p>10 Q. Okay. Did you see any recording equipment,</p> <p>11 like, a --</p> <p>12 A. Cameras, no.</p> <p>13 Q. -- camera or anything like that?</p> <p>14 A. Yeah, I wasn't really paying attention, so no,</p> <p>15 I didn't.</p> <p>16 Q. Okay. Was there any -- like a ball on a</p> <p>17 computer screen? You know, like, a webcam?</p> <p>18 A. No, I doubt it.</p> <p>19 Q. Okay. Did you notice any signs warning that</p> <p>20 you could be recorded while you were at the dealership?</p> <p>21 A. No.</p> <p>22 Q. Okay. At any point if you need a break to go</p> <p>23 to the bathroom or get a glass of water --</p> <p>24 A. All right.</p> <p>25 Q. -- just let me now. Have you ever gone by any</p>
<p style="text-align: right;">Page 10</p> <p>1 E. Laforest</p> <p>2 Q. Okay. Did you submit any forms online to the</p> <p>3 Victory Mitsubishi dealership?</p> <p>4 A. No.</p> <p>5 Q. Did you use the website Edmunds or cars.com?</p> <p>6 A. No. I think -- I think they made me use --</p> <p>7 they made me fill out application when I was at the</p> <p>8 store, online. But I didn't fill it on my own online.</p> <p>9 Q. I see. Was it -- did they hand you, like, a</p> <p>10 tablet to fill out the application or did you do it --</p> <p>11 A. No, I think they sent me the link on the -- on</p> <p>12 my phone -- on my phone.</p> <p>13 Q. Okay. Who did you talk to at the dealership</p> <p>14 when you were there?</p> <p>15 A. I don't remember.</p> <p>16 Q. Do you remember if it was a -- do you remember</p> <p>17 what the person was like? Was it a man, was it a</p> <p>18 woman?</p> <p>19 A. It was a -- I spoke to a man. He was, like,</p> <p>20 slender, tall, like, about six-something -- 6'2,</p> <p>21 caramel skin.</p> <p>22 Q. Does the name David Perez sound familiar?</p> <p>23 A. No. I don't remember the name.</p> <p>24 Q. And what did this person say to you?</p> <p>25 A. Not much. We was just looking for a car and</p>	<p style="text-align: right;">Page 12</p> <p>1 E. Laforest</p> <p>2 other names or aliases?</p> <p>3 A. No.</p> <p>4 Q. Where do you currently reside?</p> <p>5 A. On 2914 Farragut Road, Brooklyn.</p> <p>6 Q. And what is your phone number?</p> <p>7 A. (718) 213-0288.</p> <p>8 Q. And what is your e-mail address?</p> <p>9 A. It's mjack9849@gmail.com [sic].</p> <p>10 MR. SELVEY: Okay. Would you spell that for</p> <p>11 record?</p> <p>12 THE WITNESS: M-J -- no, wait.</p> <p>13 M-A-C-K-L-O-W-0-2-2-0 at gmail.com.</p> <p>14 MR. SELVEY: Can you state the -- the phone</p> <p>15 number again, please?</p> <p>16 THE WITNESS: (718) 213-0288.</p> <p>17 MR. SELVEY: Thanks.</p> <p>18 MS. CATERINE: And I'm going to be marking the</p> <p>19 first exhibit, Exhibit 1. I'm going to try to do these</p> <p>20 in order.</p> <p>21 (Plaintiff's Exhibit 1 was marked for</p> <p>22 identification.)</p> <p>23 BY MS. CATERINE:</p> <p>24 Q. Okay. All right. Mr. Laforest, if you can</p> <p>25 take a look at this. Do you recognize this document?</p>

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<p style="text-align: right;">Page 13</p> <p>1 E. Laforest</p> <p>2 A. This the subpoena they sent me, right?</p> <p>3 Q. Yes. Do you see the section with the check</p> <p>4 mark which says "production" and calls for the</p> <p>5 documents you have about this case?</p> <p>6 A. I don't have no documents about this case.</p> <p>7 Q. Okay. How do you know Farah Jean Francois?</p> <p>8 A. I mean, she's a friend of the family.</p> <p>9 Q. When did you first meet?</p> <p>10 A. I mean, she comes by all the time to pick up</p> <p>11 Mel [phonetic] and stuff like that.</p> <p>12 Q. Was it around 2017?</p> <p>13 A. It could be. I'm not too sure. I don't</p> <p>14 remember.</p> <p>15 Q. Are you currently employed?</p> <p>16 A. Yes.</p> <p>17 Q. Where are you employed?</p> <p>18 A. HouseCalls Home Care.</p> <p>19 MR. SELVEY: Sorry, can you say that again?</p> <p>20 THE WITNESS: HouseCalls Home Care.</p> <p>21 MS. CATHERINE: I'm going to be marking this as</p> <p>22 Exhibit 2.</p> <p>23 (Plaintiff's Exhibit 2 was marked for</p> <p>24 identification.)</p> <p>25 BY MS. CATHERINE:</p>	<p style="text-align: right;">Page 15</p> <p>1 E. Laforest</p> <p>2 A. Who?</p> <p>3 Q. I'll take that as a no. Do you know -- do you</p> <p>4 know Yessica Vallejo?</p> <p>5 A. No.</p> <p>6 Q. Do you know a Stavros Orsaris?</p> <p>7 A. (No verbal response.)</p> <p>8 MR. KESHAVERZ: You have to answer verbally.</p> <p>9 THE WITNESS: Oh, no. No.</p> <p>10 BY MS. CATHERINE:</p> <p>11 Q. Yeah, sorry.</p> <p>12 A. This was in 2019?</p> <p>13 Q. (Audio interruption).</p> <p>14 A. No, I don't know the person.</p> <p>15 Q. But if you could take a look at that</p> <p>16 information, again on this page --</p> <p>17 A. Which one?</p> <p>18 Q. -- the e-mail address listed there, that was</p> <p>19 an e-mail address which you used, correct?</p> <p>20 A. Correct.</p> <p>21 Q. And that is a phone number that you used,</p> <p>22 correct?</p> <p>23 A. I don't know this one. It could an old</p> <p>24 number, but I don't know. I don't think so.</p> <p>25 Q. Okay. Who is Milano Banack [phonetic]?</p>
<p style="text-align: right;">Page 14</p> <p>1 E. Laforest</p> <p>2 Q. All right. Mr. Laforest, if you could take a</p> <p>3 look -- I'm sorry, Mr. Laforest, if you could take a</p> <p>4 look at these documents.</p> <p>5 A. These are e-mails, right?</p> <p>6 Q. Do you recognize them?</p> <p>7 A. Not really, no.</p> <p>8 Q. Could you turn to the last page of the</p> <p>9 document and read the text under the header,</p> <p>10 "Information from the Submitted Lead?"</p> <p>11 A. Read the -- which part?</p> <p>12 Q. I'm just going to state for the record that</p> <p>13 I'm pointing to the text that I've asked the deponent</p> <p>14 to read. If you could just look at that.</p> <p>15 A. I've -- I never applied for no cars.com.</p> <p>16 Q. So you've never used the website cars.com to</p> <p>17 submit an application?</p> <p>18 A. No.</p> <p>19 Q. Did you have any contact with the Victory</p> <p>20 Mitsubishi dealership on October 21st, 2019?</p> <p>21 A. No.</p> <p>22 Q. Did you have any contact with the dealership</p> <p>23 prior to October 21st, 2019?</p> <p>24 A. Not at all.</p> <p>25 Q. Do you know Yessica Vallejo?</p>	<p style="text-align: right;">Page 16</p> <p>1 E. Laforest</p> <p>2 A. I don't know (audio interruption).</p> <p>3 Q. Okay.</p> <p>4 MR. KESHAVERZ: I couldn't hear your answer.</p> <p>5 I didn't hear your answer.</p> <p>6 THE WITNESS: Oh, no, I don't know who this is</p> <p>7 either.</p> <p>8 MR. KESHAVERZ: You don't know who Milano</p> <p>9 Banack is? Is that the answer?</p> <p>10 THE WITNESS: Yes.</p> <p>11 MR. KESHAVERZ: Okay. I'm sorry.</p> <p>12 BY MS. CATHERINE:</p> <p>13 Q. Okay. If you could turn to seventh page of</p> <p>14 the document. Do you see -- do you see where on that</p> <p>15 page there is a -- what appears to be another credit</p> <p>16 application --</p> <p>17 A. Yeah, I'm looking at it.</p> <p>18 Q. -- a car application from cars.com. Did you</p> <p>19 submit an application on cars.com on or around April</p> <p>20 19th, 2020?</p> <p>21 A. No. I didn't submit this paper.</p> <p>22 MR. KESHAVERZ: I can't hear you.</p> <p>23 THE WITNESS: I did not submit this paper, no.</p> <p>24 MR. KESHAVERZ: But did you submit an</p> <p>25 application to cars.com at all?</p>

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<p style="text-align: right;">Page 17</p> <p>1 E. Laforest</p> <p>2 THE WITNESS: No.</p> <p>3 MR. KESHAVARZ: No. Okay. Thank you.</p> <p>4 BY MS. CATHERINE:</p> <p>5 Q. Okay. If you could go to Page 4 of the</p> <p>6 document -- are you looking at Page 4?</p> <p>7 A. I'm looking at it.</p> <p>8 Q. Okay. And did you submit an application on</p> <p>9 edmunds.com on or around April 28th, 2020?</p> <p>10 A. Yeah, this could have been on Facebook.</p> <p>11 Q. I see. And the phone number here, is that</p> <p>12 your phone number?</p> <p>13 A. Yes. That's my old number.</p> <p>14 Q. Do you know why your e-mail is used in the</p> <p>15 prior applications that you didn't recognize?</p> <p>16 A. I'd guess either my brother or my cousin,</p> <p>17 because they tried to use my name before.</p> <p>18 Q. And when you say they tried to use your --</p> <p>19 your name before, what -- what was that for?</p> <p>20 A. You know, like, get a car, or credit cards, or</p> <p>21 whatever.</p> <p>22 Q. So when you went to the Victory Mitsubishi</p> <p>23 dealership on May 30th, that was the first time you</p> <p>24 went to the dealership in person?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 19</p> <p>1 E. Laforest</p> <p>2 THE WITNESS: The only time I went after May</p> <p>3 30th was to return the car.</p> <p>4 MR. KESHAVARZ: Okay. Thank you. Sorry for</p> <p>5 interrupting.</p> <p>6 MS. CATHERINE: I'm going to introduce the next</p> <p>7 exhibit, Exhibit 3.</p> <p>8 (Plaintiff's Exhibit 3 was marked for</p> <p>9 identification.)</p> <p>10 BY MS. CATHERINE:</p> <p>11 Q. Do you recognize this document, Mr. Laforest?</p> <p>12 A. Yeah, this is the one where they sent me the</p> <p>13 link.</p> <p>14 Q. What prompted that first text message?</p> <p>15 A. You're talking about the link?</p> <p>16 Q. Uh-huh.</p> <p>17 A. They told me -- they said that I had to do the</p> <p>18 application on the -- in the store.</p> <p>19 Q. Okay.</p> <p>20 A. And they sent me the link.</p> <p>21 Q. So they told you -- you had given them your</p> <p>22 phone number, and they sent you --</p> <p>23 A. And they sent me the link, yeah.</p> <p>24 Q. Okay.</p> <p>25 MR. SELVEY: Off the record, I guess. I just</p>
<p style="text-align: right;">Page 18</p> <p>1 E. Laforest</p> <p>2 Q. And you say that you knew about the</p> <p>3 dealership. How do you know about it?</p> <p>4 A. You know, people talk about it.</p> <p>5 Q. And what do you mean by that?</p> <p>6 A. Like, they say if you want to get a car, just</p> <p>7 go to Victory.</p> <p>8 Q. So does -- does that mean that it has a</p> <p>9 reputation for being a -- a place that will lend cars</p> <p>10 to people, regardless if they have bad credit or</p> <p>11 something like that?</p> <p>12 A. It means they got decent cars.</p> <p>13 Q. And you went to the dealership by yourself?</p> <p>14 A. Yeah. Correct.</p> <p>15 Q. Were you wearing a mask?</p> <p>16 A. I think so. I don't remember.</p> <p>17 Q. Did anyone at the dealership ask you to pull</p> <p>18 down your mask at any point, to verify your identity?</p> <p>19 A. I'm not too sure I was wearing a mask. I'm</p> <p>20 not -- I'm not too sure.</p> <p>21 Q. Okay.</p> <p>22 MR. KESHAVARZ: I'm sorry for interrupting.</p> <p>23 You said May 30th was the first time you went to the</p> <p>24 dealership. Did you ever go to the dealership after</p> <p>25 May 30th or was that the only time?</p>	<p style="text-align: right;">Page 20</p> <p>1 E. Laforest</p> <p>2 need clarification.</p> <p>3 MR. KESHAVARZ: Stay on the record.</p> <p>4 MR. SELVEY: Okay, fine. Does he have the</p> <p>5 same copy of this document that I have? Because this</p> <p>6 one is missing -- I guess, the blue didn't print</p> <p>7 online. Does his include that link?</p> <p>8 MR. KESHAVARZ: It's just a photocopy.</p> <p>9 MR. SELVEY: Yeah. No, I know. I'm wondering</p> <p>10 what he's looking at it.</p> <p>11 MS. CATHERINE: Yes.</p> <p>12 MR. SELVEY: He's looking at a more legible</p> <p>13 copy of that, then?</p> <p>14 MS. CATHERINE: Yeah.</p> <p>15 MR. SELVEY: Okay. Yeah. Perfect.</p> <p>16 MS. CATHERINE: Sorry. I didn't realize it</p> <p>17 didn't --</p> <p>18 MR. SELVEY: No, no. I have it digitally here,</p> <p>19 too. It's our production after all.</p> <p>20 BY MS. CATHERINE:</p> <p>21 Q. Okay. Do you know why it has the initials</p> <p>22 "FF" right there next to the text message that says, "I</p> <p>23 just did it"?</p> <p>24 A. I'm not tot sure.</p> <p>25 Q. Is it because it was in the name of Farah Jean</p>

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<p style="text-align: right;">Page 21</p> <p>1 E. Laforest</p> <p>2 Francois?</p> <p>3 A. I'm not too sure. I never seen that like that</p> <p>4 before, so I don't know.</p> <p>5 MS. CATERINE: Okay. And I'm going to mark</p> <p>6 Exhibit 4.</p> <p>7 (Plaintiff's Exhibit 4 was marked for</p> <p>8 identification.)</p> <p>9 BY MS. CATERINE:</p> <p>10 Q. Do you recognize this document?</p> <p>11 A. It's the application, right?</p> <p>12 Q. You tell me.</p> <p>13 A. I don't remember seeing this.</p> <p>14 Q. So that's not the form that you had</p> <p>15 submitted -- seen then?</p> <p>16 A. No, I don't think so.</p> <p>17 Q. But it appears to have the information that</p> <p>18 you provided to them.</p> <p>19 A. I see that. Yeah, but it's not my form they</p> <p>20 gave me. They never gave me this form.</p> <p>21 MS. CATERINE: Okay. Mark this as Exhibit 5,</p> <p>22 please.</p> <p>23 (Plaintiff's Exhibit 5 was marked for</p> <p>24 identification.)</p> <p>25 MR. KESHAVARZ: I'm sorry, I didn't hear. Did</p>	<p style="text-align: right;">Page 23</p> <p>1 E. Laforest</p> <p>2 A. No, I wasn't going to -- I was going to use my</p> <p>3 girlfriend's. But the guy that actually -- he was</p> <p>4 just, like, no, we'll just use her and I said, okay. I</p> <p>5 thought -- because like I said, I thought it was -- I</p> <p>6 thought it was going to be -- I was just trying to use</p> <p>7 that for co-buyer.</p> <p>8 Q. You said the -- the guy suggested to use --</p> <p>9 you mean the -- the person at the dealership suggested</p> <p>10 using Ms. Francois's identity to purchase the vehicle?</p> <p>11 A. Correct.</p> <p>12 Q. And further down on this page there's a text</p> <p>13 message that says, "I'm coming from Brooklyn, but I</p> <p>14 want to make sure I'll be driving off the lot with the</p> <p>15 car, though."</p> <p>16 A. Yeah.</p> <p>17 Q. Based on this text message, do you think these</p> <p>18 text messages were sent before you came to the</p> <p>19 dealership?</p> <p>20 A. I am pretty sure it was before. I'm not</p> <p>21 too -- I'm not too sure.</p> <p>22 Q. In that case, do you remember what prompted</p> <p>23 you to get these text messages and send text messages</p> <p>24 back?</p> <p>25 A. Repeat that again.</p>
<p style="text-align: right;">Page 22</p> <p>1 E. Laforest</p> <p>2 you say the Exhibit 3 was the information that they</p> <p>3 gave you or that you provided to the dealership, it</p> <p>4 just wasn't in that format?</p> <p>5 MR. SELVEY: It was Exhibit 4.</p> <p>6 MS. CATERINE: No, Exhibit 4.</p> <p>7 MR. KESHAVARZ: Exhibit 4.</p> <p>8 THE WITNESS: Yeah, I -- I wasn't ever given</p> <p>9 this.</p> <p>10 MR. KESHAVARZ: Was that the information that</p> <p>11 you provided to the dealership, even if it wasn't in</p> <p>12 that format?</p> <p>13 THE WITNESS: Yeah.</p> <p>14 MR. KESHAVARZ: Okay. Thanks.</p> <p>15 BY MS. CATERINE:</p> <p>16 Q. Do you recognize Exhibit 5?</p> <p>17 A. No, I never got this neither.</p> <p>18 Q. If you could go back to Exhibit 3, please, the</p> <p>19 text messages, and go to the second page.</p> <p>20 Do you see where it says, "as per management</p> <p>21 credit application received need 2,000 to 3,000 down or</p> <p>22 co-buyer"?</p> <p>23 A. Yes, I do.</p> <p>24 Q. Is this when you decided to use Ms. Francois's</p> <p>25 identity to purchase the vehicle?</p>	<p style="text-align: right;">Page 24</p> <p>1 E. Laforest</p> <p>2 Q. Sure. Let me rephrase. So you had mentioned</p> <p>3 before that you had filled out an application on</p> <p>4 Facebook?</p> <p>5 A. Yeah. That was on Edmund.</p> <p>6 Q. On Edmund's right.</p> <p>7 A. Edmund's.</p> <p>8 Q. And so after you filled out that application,</p> <p>9 is that when you got a text message from the</p> <p>10 dealership?</p> <p>11 A. I don't think I -- when I did this</p> <p>12 application?</p> <p>13 Q. Uh-huh.</p> <p>14 A. I don't know about a text. I was in the</p> <p>15 store. Unless they made me do it twice, because when I</p> <p>16 went to the Mitsubishi, they said definitely made me do</p> <p>17 at the store.</p> <p>18 Q. Okay.</p> <p>19 MR. KESHAVARZ: I couldn't hear your answer.</p> <p>20 They definitely made you what?</p> <p>21 THE WITNESS: They made me do an application</p> <p>22 at the store -- I mean, at the -- at the dealership.</p> <p>23 MR. KESHAVARZ: Like a handwritten</p> <p>24 application?</p> <p>25 THE WITNESS: No. Online application.</p>

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<p style="text-align: right;">Page 25</p> <p>1 E. Laforest</p> <p>2 MR. KESHAVARZ: Thank you.</p> <p>3 BY MS. CATERINE:</p> <p>4 Q. And why did you want to drive off the lot with</p> <p>5 a car that day?</p> <p>6 A. I needed to get a car. I had the money for</p> <p>7 it.</p> <p>8 Q. Was there some urgent reason why you needed</p> <p>9 the car? Did you to take a trip somewhere or was it</p> <p>10 for work or --</p> <p>11 A. It was for work and family purposes.</p> <p>12 Q. If you could go to the third page of the</p> <p>13 exhibit, please? Do you see the text that says, "and</p> <p>14 my pay stub is online"?</p> <p>15 A. Yeah. That's on my phone. I've got to go --</p> <p>16 I got to go on the website to get to my pay stub.</p> <p>17 Q. I see. And could you pull those up on your</p> <p>18 phone right now?</p> <p>19 A. No, not right now.</p> <p>20 Q. And you say here -- you're asking if they can</p> <p>21 print it at the office and they say, yes. How -- did</p> <p>22 you wind up printing your pay stub at their office?</p> <p>23 A. I'm pretty sure I did.</p> <p>24 Q. And how did you provide that pay stub to them?</p> <p>25 A. I think I had -- I think I had a screenshot of</p>	<p style="text-align: right;">Page 27</p> <p>1 E. Laforest</p> <p>2 with the Kings County district attorney, they stated</p> <p>3 that the matter against you had been sealed. That's</p> <p>4 all I know about that case against you. So I can't</p> <p>5 make any representations about anything about your</p> <p>6 case. I don't know anything about your case because</p> <p>7 the file is sealed.</p> <p>8 MR. SELVEY: I -- I will say based on the</p> <p>9 allegations in Ms. Francois's complaint as they involve</p> <p>10 you, this matter could resolve in civil or criminal</p> <p>11 prosecution against you in the future. I'm not saying</p> <p>12 it will --</p> <p>13 MR. KESHAVARZ: Are you advising him on this?</p> <p>14 MR. SELVEY: No. I'm -- I'm saying that based</p> <p>15 on my position, my client may have seek -- have to seek</p> <p>16 recourse against Mr. Laforest, depending on what --</p> <p>17 he -- he asked a question. I -- I assumed that you</p> <p>18 guys had spoken with him beforehand and advised him of</p> <p>19 his rights and potential exposure in this. I --</p> <p>20 THE WITNESS: No. Do I got to get a lawyer?</p> <p>21 MR. SELVEY: You can. There --</p> <p>22 MS. CATERINE: You can get a lawyer as -- as</p> <p>23 you -- you remember when you first spoke with me, I</p> <p>24 told you that you could get a lawyer.</p> <p>25 THE WITNESS: Yeah.</p>
<p style="text-align: right;">Page 26</p> <p>1 E. Laforest</p> <p>2 them and I think I had text messaged or e-mailed it.</p> <p>3 No, I don't remember.</p> <p>4 Q. Do you still have those text messages with the</p> <p>5 dealership?</p> <p>6 A. That's on my old phone.</p> <p>7 Q. On your old phone?</p> <p>8 A. I mean, do you need it?</p> <p>9 Q. Do you still have your old phone?</p> <p>10 A. I still have it.</p> <p>11 Q. If we could arrange to get those, you could</p> <p>12 send them to me by --</p> <p>13 A. This case got dismissed already. Am I going</p> <p>14 to get in trouble for this?</p> <p>15 Q. This is -- this is not your -- this is not the</p> <p>16 criminal case against you. This is a civil action by</p> <p>17 Ms. Francois against the dealership.</p> <p>18 A. Okay. So they're not going to reopen that</p> <p>19 case or nothing like that?</p> <p>20 Q. I -- I -- can we go off the record for a</p> <p>21 second?</p> <p>22 MR. KESHAVARZ: We should probably keep this</p> <p>23 off the -- on the record, I think.</p> <p>24 BY MS. CATERINE:</p> <p>25 Q. Oh. Yeah, on the record. So when I spoke</p>	<p style="text-align: right;">Page 28</p> <p>1 E. Laforest</p> <p>2 MR. KESHAVARZ: What's the next question?</p> <p>3 MS. CATERINE: All right. Can you please mark</p> <p>4 this as Exhibit 6.</p> <p>5 (Plaintiff's Exhibit 6 was marked for</p> <p>6 identification.)</p> <p>7 BY MS. CATERINE:</p> <p>8 Q. Do you recognize this document, Mr. Laforest?</p> <p>9 A. Yeah. I think that's the application.</p> <p>10 Q. And you were given this document to fill out</p> <p>11 at the dealership?</p> <p>12 A. Correct.</p> <p>13 Q. And you filled out this document by yourself,</p> <p>14 correct?</p> <p>15 A. Correct.</p> <p>16 Q. Did someone at the dealership tell you how to</p> <p>17 fill this document out?</p> <p>18 A. The person that was working with me.</p> <p>19 Q. And that was the same person who suggested</p> <p>20 having Ms. Francois as the co-applicant; is that</p> <p>21 correct?</p> <p>22 A. Correct.</p> <p>23 Q. Where did you get Ms. Francois's information</p> <p>24 for filling out this application?</p> <p>25 A. It was at my house.</p>

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<p style="text-align: right;">Page 29</p> <p>1 E. Laforest</p> <p>2 Q. And you had brought it with you to the</p> <p>3 dealership?</p> <p>4 A. Yeah. Correct.</p> <p>5 Q. And the phone number here for both you and for</p> <p>6 Ms. Francois is (347) 995-5054.</p> <p>7 A. That's correct.</p> <p>8 Q. Whose phone number is that?</p> <p>9 A. That was mine.</p> <p>10 Q. And why didn't you use that phone number on</p> <p>11 the application you submitted through Edmund's?</p> <p>12 A. Because I -- I had a different number at the</p> <p>13 time.</p> <p>14 Q. It says in this application that Ms. Francois</p> <p>15 had been at the 2914 Farragut Road address for seven</p> <p>16 years and five months. Ms. Francois had not been</p> <p>17 living at that address for more than seven years; is</p> <p>18 that correct?</p> <p>19 A. I guess. I'm not too sure. I don't know how</p> <p>20 long she lived at that address.</p> <p>21 Q. Why did you write that she had been living</p> <p>22 there for more than seven years?</p> <p>23 A. I don't remember putting that there.</p> <p>24 Q. I'm sorry?</p> <p>25 A. I said, I don't remember putting that there.</p>	<p style="text-align: right;">Page 31</p> <p>1 E. Laforest</p> <p>2 BY MS. CATHERINE:</p> <p>3 Q. Do you recognize this document?</p> <p>4 A. It is my ID.</p> <p>5 Q. And you had Ms. Francois's driver's license</p> <p>6 with you at the dealership; is that correct?</p> <p>7 A. Correct.</p> <p>8 Q. And how did you obtain Ms. Francois's driver's</p> <p>9 license?</p> <p>10 A. It was given to me.</p> <p>11 Q. And who gave it to you?</p> <p>12 A. I'd rather not say. It was given to me so I</p> <p>13 can give to her.</p> <p>14 Q. Sorry?</p> <p>15 A. It was given to me so I can give to her.</p> <p>16 Q. It was given to you so you could give it to</p> <p>17 her?</p> <p>18 A. Yeah.</p> <p>19 Q. So I'm sorry, I guess I'm a little confused</p> <p>20 here. So someone gave it to you and told you to give</p> <p>21 it to her?</p> <p>22 A. Correct.</p> <p>23 Q. Okay. And you had it at the dealership with</p> <p>24 you, so this was before you gave it to her, correct?</p> <p>25 A. Correct.</p>
<p style="text-align: right;">Page 30</p> <p>1 E. Laforest</p> <p>2 Q. Okay. Is that your handwriting?</p> <p>3 A. Looks like it, yeah.</p> <p>4 Q. Was the -- was it the person at the dealership</p> <p>5 who was helping you to fill out that application who</p> <p>6 suggested putting that there?</p> <p>7 A. I'm not too sure. It was a while ago.</p> <p>8 Q. And do you see the signature at the bottom of</p> <p>9 the application next to co-applicant?</p> <p>10 A. Are you talking about this right here?</p> <p>11 Q. Yes, that signature (audio interruption).</p> <p>12 A. Yeah. That -- that's not my signature.</p> <p>13 Q. All right. Who signed that?</p> <p>14 A. I'm not too sure.</p> <p>15 Q. But you did not sign that?</p> <p>16 A. No.</p> <p>17 Q. And Ms. Francois was not with you, correct?</p> <p>18 A. Correct. She wasn't -- she's not -- she was</p> <p>19 not with me at the dealership.</p> <p>20 Q. And so she did not sign that, correct?</p> <p>21 A. No.</p> <p>22 MS. CATHERINE: Can you mark this as Exhibit 7.</p> <p>23 THE REPORTER: Yes.</p> <p>24 (Plaintiff's Exhibit 7 was marked for</p> <p>25 identification.)</p>	<p style="text-align: right;">Page 32</p> <p>1 E. Laforest</p> <p>2 Q. But did you eventually give her the license?</p> <p>3 A. Yeah.</p> <p>4 Q. And why don't you want to identify the person</p> <p>5 who gave you the license?</p> <p>6 A. I'd just the rather not say.</p> <p>7 Q. Did anyone at the dealership ask you to call</p> <p>8 Ms. Francois at any point while you were filling out</p> <p>9 this application?</p> <p>10 A. No.</p> <p>11 Q. Did the dealership ask you why you had put</p> <p>12 your phone number for both yourself and for her in the</p> <p>13 application?</p> <p>14 A. No.</p> <p>15 MS. CATHERINE: Mark this as Exhibit 8, please.</p> <p>16 (Plaintiff's Exhibit 8 was marked for</p> <p>17 identification.)</p> <p>18 BY MS. CATHERINE:</p> <p>19 Q. Do you recognize this document?</p> <p>20 A. No. I didn't receive this.</p> <p>21 Q. Okay. And when you went to the dealership on</p> <p>22 May 30th, did you put \$10,000 down?</p> <p>23 A. I put damn near -- almost put, like, around, I</p> <p>24 want to say 8,900, around there.</p> <p>25 Q. Okay. And what happened to that money? Did</p>

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<p style="text-align: right;">Page 33</p> <p>1 E. Laforest</p> <p>2 you -- was that money returned to you?</p> <p>3 A. No.</p> <p>4 Q. Do you know what happened to the money?</p> <p>5 A. No.</p> <p>6 Q. As far as you are aware, the dealership still</p> <p>7 has that money?</p> <p>8 A. Uh-huh.</p> <p>9 MR. KESHAVARZ: You have to say yes or no.</p> <p>10 THE WITNESS: Yes.</p> <p>11 BY MS. CATHERINE:</p> <p>12 Q. Why does this worksheet only list your</p> <p>13 information and not Ms. Francois's information?</p> <p>14 A. I'm not too sure.</p> <p>15 MS. CATHERINE: Mark this as Exhibit 9, please.</p> <p>16 (Plaintiff's Exhibit 9 was marked for</p> <p>17 identification.)</p> <p>18 BY MS. CATHERINE:</p> <p>19 Q. Do you recognize this document?</p> <p>20 A. Yeah. They gave me this.</p> <p>21 Q. And what is it?</p> <p>22 A. A receipt.</p> <p>23 Q. And it's a receipt for the down payment?</p> <p>24 A. Correct.</p> <p>25 Q. The credit application which was marked as</p>	<p style="text-align: right;">Page 35</p> <p>1 E. Laforest</p> <p>2 MR. SELVEY: Sorry. Could you -- I didn't</p> <p>3 catch -- you talked to who?</p> <p>4 THE WITNESS: I said after I spoke to Farah on</p> <p>5 the phone, she told me everything was okay. And I told</p> <p>6 her by December the -- the car was going to be finished</p> <p>7 being paid off or settled, right. She would have no</p> <p>8 problem. And then I guess, like, a month or two later,</p> <p>9 a couple of weeks later, I'm not too sure of when, the</p> <p>10 dealership ended up calling me because she ended up</p> <p>11 going to the dealership.</p> <p>12 BY MS. CATHERINE:</p> <p>13 Q. So when you say you had this phone -- this is</p> <p>14 a conversation over the phone with Ms. Francois?</p> <p>15 A. We had - we had several conversations.</p> <p>16 Q. Okay. And this was after you had left the</p> <p>17 dealership with the vehicle?</p> <p>18 A. Correct.</p> <p>19 Q. If you could go back to Exhibit 2 and go to</p> <p>20 the second page of the document, please.</p> <p>21 A. Here?</p> <p>22 Q. Yes. And do you recognize the information</p> <p>23 under "information from the submitted lead?"</p> <p>24 A. No.</p> <p>25 Q. Is that your e-mail address?</p>
<p style="text-align: right;">Page 34</p> <p>1 E. Laforest</p> <p>2 Exhibit 5 -- oh no, I'm sorry, Exhibit 6, lists your</p> <p>3 income as \$31,000 a year; is that correct?</p> <p>4 A. Correct.</p> <p>5 Q. How did you get \$8,600 in cash?</p> <p>6 A. Saved.</p> <p>7 Q. Sorry?</p> <p>8 A. Saved.</p> <p>9 Q. Okay.</p> <p>10 THE REPORTER: Sorry, what was the answer?</p> <p>11 MS. CATHERINE: Saved.</p> <p>12 THE REPORTER: Okay.</p> <p>13 BY MS. CATHERINE:</p> <p>14 Q. You said in the text messages that we were</p> <p>15 looking at before that you wanted to leave the</p> <p>16 dealership with a vehicle that day. Did you leave the</p> <p>17 dealership with a vehicle on May 30th?</p> <p>18 A. Yes.</p> <p>19 Q. When was the next time you heard from the</p> <p>20 dealership after leaving with the vehicle?</p> <p>21 A. After me and Farah spoke on the phone and she</p> <p>22 told me everything was okay. Probably like -- I mean</p> <p>23 I'm not too sure if it was a couple of weeks later or a</p> <p>24 month later. I guess she ended up going to the</p> <p>25 dealership and then the dealership ended up calling me.</p>	<p style="text-align: right;">Page 36</p> <p>1 E. Laforest</p> <p>2 A. That's my e-mail address.</p> <p>3 Q. And is that your phone number?</p> <p>4 A. No.</p> <p>5 Q. And the vehicle information there, is that the</p> <p>6 information for the vehicle that you purchased on May</p> <p>7 30th?</p> <p>8 A. I don't remember the VIN number, but the model</p> <p>9 number is the same.</p> <p>10 Q. Okay. The vehicle you purchased was the 2017</p> <p>11 BMW?</p> <p>12 A. I don't know why that number is there and I</p> <p>13 never put that name there, but this is -- it's Victory</p> <p>14 Mitsubishi.</p> <p>15 Q. Uh-huh. And you testified earlier that you</p> <p>16 did not go to the dealership on June 29th, 2020,</p> <p>17 correct?</p> <p>18 A. You said June 29th, 2020?</p> <p>19 Q. Uh-huh.</p> <p>20 A. No, I don't think I did.</p> <p>21 MS. CATHERINE: Okay. This can be marked as</p> <p>22 Exhibit 10, please.</p> <p>23 (Plaintiff's Exhibit 10 was marked for</p> <p>24 identification.)</p> <p>25 MR. SELVEY: I assume you'll scan it.</p>

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1 E. Laforest

2 MS. CATERINE: Yeah, yeah. We'll scan it.

3 BY MS. CATERINE:

4 Q. All right. Mr. Laforest, do you recognize

5 this document?

6 A. No, I -- I ain't never seen this one before.

7 Q. So you didn't fill out this application?

8 A. No. I ain't never seen that before.

9 Q. Do you know why it says the Ms. Francois lived

10 at the 2914 Farragut Road address for ten years?

11 A. I can't tell you that and I promise you, I

12 ain't never seen that before. And they never gave me a

13 statement -- or showed me the statement before.

14 Q. Is that your phone number listed under home

15 phone?

16 A. Yeah, it is.

17 Q. And do you see where Ms. Francois's employment

18 information is listed?

19 A. Yeah, I see where it's at.

20 Q. So let's go back to Exhibit 6. Do you see

21 where Ms. Francois's employment information is listed

22 here?

23 A. Yeah.

24 Q. How did you get that employment information?

25 A. This information?

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1 E. Laforest

2 Q. Uh-huh.

3 A. From the mail.

4 Q. Sorry, from who?

5 A. I said from her mail. From her mail.

6 Q. From her mail.

7 A. Yeah, it was -- it was in front of her mail.

8 And it just said Null's Whole Foods, so I just assumed

9 that that's why she wrote that.

10 Q. I see. So the mail that was delivered to her

11 at the 2019 [sic] Farragut Road address?

12 A. Yeah.

13 Q. Why were you looking at her mail?

14 A. I mean, I'm the only one that likes to grab

15 the mail and bring it upstairs.

16 Q. I see. So in your normal process where you

17 would get the mail from the mailbox for everyone who

18 lived there, you saw that she worked at Null's Whole

19 Foods?

20 A. Yeah, right.

21 Q. How did you know she was a manager?

22 A. I didn't -- I guess I guessed. I'm not too

23 sure. I don't remember.

24 Q. Okay. And for her salary there, did you guess

25 at that, as well?

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1 E. Laforest

2 A. Yes.

3 Q. Okay. If we could turn -- if you could turn

4 back to Exhibit 10, do you see where it lists her

5 employment -- employment information here?

6 A. Yeah, I'm looking at it.

7 Q. And it says that her salary is \$65,000. Did

8 you know that her salary was \$65,000?

9 A. I told you I never seen the paper, so no. You

10 see I put 41,000 here. Obviously, I didn't know at

11 all.

12 Q. Okay. Why were you not on this application

13 like you were on the May 30th application?

14 A. Which application?

15 Q. Sorry. Excuse me. Why are -- so you're on

16 the application marked Exhibit 6, correct?

17 A. Say it again.

18 Q. You're -- you're on this application -- the

19 application marked Exhibit 6, correct?

20 A. Yes.

21 Q. Why weren't you a co-applicant on the

22 application marked Exhibit 10?

23 A. I don't know. Like I told you, I never seen

24 this before.

25 Q. Okay. You mentioned that someone at the

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1 E. Laforest

2 dealership suggested adding Ms. Francois as a

3 co-applicant, correct?

4 A. Correct.

5 Q. And did that person advise you that you would

6 be more likely to obtain credit if Ms. Francois applied

7 by herself?

8 A. He said just use her name because she was

9 already -- she already got approved. You're better off

10 just using her name.

11 Q. And how did he find out that she had already

12 been approved?

13 A. Oh, because he took her information down

14 because I told her I was -- I was -- I'm using someone

15 else's, as well. I was using my girlfriend because she

16 said I could use it or whatever. And when I was

17 pulling out the ID, he seen her so he was, like, do you

18 know her.

19 I'm, like, I got her information, but I would

20 have to talk to her or whatever. He said, well, let me

21 just run her name down and see if she gets approved.

22 If she gets approved, then we'll see if we can go from

23 there and that's how it happened.

24 Q. Okay. Do you know who signed this

25 application?

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<p style="text-align: right;">Page 41</p> <p>1 E. Laforest</p> <p>2 A. I'm not too sure.</p> <p>3 Q. And on Page 3 of the application, it says that</p> <p>4 \$9,000 in cash was put down. Do you see that?</p> <p>5 A. No, where? Oh, I see it right there.</p> <p>6 Q. And you didn't put down \$9,000 in cash,</p> <p>7 correct?</p> <p>8 A. No, correct.</p> <p>9 MS. CATERINE: Can you mark this page as</p> <p>10 Exhibit 11, please.</p> <p>11 (Plaintiff's Exhibit 11 was marked for</p> <p>12 identification.)</p> <p>13 BY MS. CATERINE:</p> <p>14 Q. Do you recognize this document?</p> <p>15 A. No.</p> <p>16 Q. Do you need a second look? Do you see the</p> <p>17 name Yessica Vallejo?</p> <p>18 A. Yeah, I see it.</p> <p>19 Q. And you previously testified that you didn't</p> <p>20 know who Yessica Vallejo is --</p> <p>21 A. No, I don't.</p> <p>22 Q. -- is that correct?</p> <p>23 A. That's correct.</p> <p>24 Q. Did you at any point sign something in</p> <p>25 Ms. Francois's name while you were at the dealership?</p>	<p style="text-align: right;">Page 43</p> <p>1 E. Laforest</p> <p>2 MR. SELVEY: That's -- is that a couple of</p> <p>3 pages or is it --</p> <p>4 MS. CATERINE: Oh, it's five pages.</p> <p>5 BY MS. CATERINE:</p> <p>6 Q. Do you recognize this document?</p> <p>7 A. I never seen these before.</p> <p>8 Q. Sorry?</p> <p>9 A. I said I never seen these before neither.</p> <p>10 They never gave me these.</p> <p>11 Q. Other than the documents that you looked at so</p> <p>12 far, did the dealership give you any other documents?</p> <p>13 A. They gave me a receipt.</p> <p>14 Q. Was that the receipt we looked at previously?</p> <p>15 A. Yeah, the receipt that said 8,600 on it. They</p> <p>16 gave me an application and a couple of other paperwork,</p> <p>17 but that was -- that was it.</p> <p>18 Q. So they didn't give you any document</p> <p>19 resembling the one you're looking at right now?</p> <p>20 A. No.</p> <p>21 Q. And they didn't give you any document that</p> <p>22 looked like Exhibit 11, correct?</p> <p>23 A. No, I didn't get that either.</p> <p>24 MS. CATERINE: Mark this as Exhibit 13,</p> <p>25 please.</p>
<p style="text-align: right;">Page 42</p> <p>1 E. Laforest</p> <p>2 A. No. Anything I signed was under my name.</p> <p>3 Q. Did they have you sign any iPad, or tablet, or</p> <p>4 anything like that?</p> <p>5 A. I don't remember.</p> <p>6 MS. CATERINE: Okay. Can you print --</p> <p>7 MR. KESHAVARZ: I can show it to him. I'm</p> <p>8 about to print this out if I can figure out the --</p> <p>9 MR. SELVEY: Can I see it?</p> <p>10 MR. KESHAVARZ: Yeah. This is from</p> <p>11 dealership's website. It says it's Stavros. Do you</p> <p>12 recognize this guy?</p> <p>13 THE WITNESS: I didn't even see this guy when</p> <p>14 I was there.</p> <p>15 MR. KESHAVARZ: Okay. Thanks. I can print</p> <p>16 this out and mark it Exhibit 12.</p> <p>17 BY MS. CATERINE:</p> <p>18 Q. Did you see anyone else at the dealership make</p> <p>19 a signature in Ms. Francois's name while you were</p> <p>20 there?</p> <p>21 A. No.</p> <p>22 MS. CATERINE: Mark this exhibit as Exhibit</p> <p>23 12, please.</p> <p>24 (Plaintiff's Exhibit 12 was marked for</p> <p>25 identification.)</p>	<p style="text-align: right;">Page 44</p> <p>1 E. Laforest</p> <p>2 (Plaintiff's Exhibit 13 was marked for</p> <p>3 identification.)</p> <p>4 BY MS. CATERINE:</p> <p>5 Q. Do you recognize this document?</p> <p>6 A. No.</p> <p>7 Q. Do you see the field on this document that</p> <p>8 says "date of sale" and it's filled in with May 30th,</p> <p>9 2020?</p> <p>10 A. The date of inspection or sales? Oh, I see</p> <p>11 date of sale, yeah.</p> <p>12 Q. And based on that, do you believe this</p> <p>13 document is referring to the sale of the vehicle to you</p> <p>14 on May 30th, 2020?</p> <p>15 A. I'm guessing.</p> <p>16 Q. When the vehicle was sold to you on May 30th,</p> <p>17 2020, did the dealership tell you that the vehicle was</p> <p>18 being sold to you?</p> <p>19 A. Yeah. They told me -- because I told him</p> <p>20 we're just doing a -- a co-application.</p> <p>21 Q. So they didn't tell you that the vehicle would</p> <p>22 only be in Ms. Francois's name; is that correct?</p> <p>23 A. Yeah. They -- they ain't tell it to me like</p> <p>24 that.</p> <p>25 Q. Do you know who signed this document?</p>

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<p style="text-align: right;">Page 45</p> <p>1 E. Laforest</p> <p>2 A. I'm not too sure. But I know -- but they did</p> <p>3 tell me -- they was like -- something about the</p> <p>4 insurance or something like that. And then they said</p> <p>5 the title was going to be under my name and hers.</p> <p>6 Q. And do you know if the title was in fact put</p> <p>7 in both of your names?</p> <p>8 A. I never received a title. I guess before -- I</p> <p>9 don't know if the car -- the title never came. But I</p> <p>10 know when she ended up going Victory Mitsubishi, like,</p> <p>11 I -- I don't even know who I was speaking to, but he</p> <p>12 had called my phone.</p> <p>13 He was, like, can you just bring back the car</p> <p>14 so they can reverse the transaction. And I told him</p> <p>15 okay. I'm going to call back next -- the first thing</p> <p>16 that -- the next morning.</p> <p>17 MS. CATERINE: And mark this as Exhibit 14,</p> <p>18 please.</p> <p>19 (Plaintiff's Exhibit 14 was marked for</p> <p>20 identification.)</p> <p>21 BY MS. CATERINE:</p> <p>22 Q. Do you recognize this document?</p> <p>23 A. No.</p> <p>24 Q. And this document has your phone number and</p> <p>25 e-mail address, correct?</p>	<p style="text-align: right;">Page 47</p> <p>1 E. Laforest</p> <p>2 MS. CATERINE: 16, right?</p> <p>3 THE REPORTER: No, I believe --</p> <p>4 MS. CATERINE: Oh no, 15. I'm sorry.</p> <p>5 (Plaintiff's Exhibit 15 was marked for</p> <p>6 identification.)</p> <p>7 BY MS. CATERINE:</p> <p>8 Q. Do you recognize these documents,</p> <p>9 Mr. Laforest?</p> <p>10 A. Yeah, I recognize these.</p> <p>11 Q. And where do you recognize them from?</p> <p>12 A. They're parking tickets. They're parking</p> <p>13 tickets -- I mean, like, traffic tickets -- traffic</p> <p>14 tickets.</p> <p>15 Q. And when did you first see these documents?</p> <p>16 A. Don't remember first seeing them, but I paid</p> <p>17 most of them. She knows that. I spoke to her about</p> <p>18 that. That's one of the reasons why we spoke on the</p> <p>19 phone.</p> <p>20 Q. I see. And you paid for these tickets because</p> <p>21 you were the one who incurred them with the vehicle; is</p> <p>22 that correct?</p> <p>23 A. Correct.</p> <p>24 Q. But they were in Ms. Francois's name, correct?</p> <p>25 A. Correct.</p>
<p style="text-align: right;">Page 46</p> <p>1 E. Laforest</p> <p>2 A. Correct.</p> <p>3 MS. CATERINE: Did you get that response?</p> <p>4 BY MS. CATERINE:</p> <p>5 Q. And since you -- it's your testimony today</p> <p>6 that you didn't fill out this document, correct?</p> <p>7 A. No, I didn't fill out this document.</p> <p>8 Q. And so do you presume that the dealership</p> <p>9 filled out this document?</p> <p>10 A. I mean, somebody filled it out. I just know I</p> <p>11 didn't fill it out.</p> <p>12 Q. If the dealership filled out this document,</p> <p>13 why would they put Ms. Francois's name, but then use</p> <p>14 your phone number and e-mail address?</p> <p>15 A. I guess because I had my phone -- my phone</p> <p>16 number for both on this application.</p> <p>17 Q. Let's turn back to that application, Exhibit</p> <p>18 6. What's the e-mail address for Ms. Francois?</p> <p>19 A. I don't see no e-mail address.</p> <p>20 Q. Okay. Did you give the dealership</p> <p>21 Ms. Francois's e-mail address?</p> <p>22 A. No.</p> <p>23 MS. CATERINE: Would you mark this as Exhibit</p> <p>24 16, please.</p> <p>25 THE REPORTER: 15.</p>	<p style="text-align: right;">Page 48</p> <p>1 E. Laforest</p> <p>2 Q. And when you received these tickets, did you</p> <p>3 still believe that the vehicle had been sold to you</p> <p>4 jointly?</p> <p>5 A. Honestly, at that point after I spoke to her I</p> <p>6 wasn't really thinking much of it, you know. But I was</p> <p>7 waiting -- I was waiting for the title to come in but I</p> <p>8 never did see the title.</p> <p>9 Q. Did you find it odd that the tickets were in</p> <p>10 Ms. Francois's name rather than yours?</p> <p>11 A. Yeah, a little bit.</p> <p>12 Q. Did you call the dealership at any point about</p> <p>13 these tickets?</p> <p>14 A. No. I usually just call for the title.</p> <p>15 Q. You called the -- did you call the dealership</p> <p>16 about the title?</p> <p>17 A. I think I might have one time.</p> <p>18 Q. Do you recall -- do you recall around when you</p> <p>19 called them?</p> <p>20 A. It was after a couple of months. But they</p> <p>21 usually told me -- they told me it was it would take I</p> <p>22 think, like, 90 days or something like that.</p> <p>23 Q. And so if it was 90 days from May 30th when</p> <p>24 the vehicle was sold to you, you were expecting to</p> <p>25 receive the title around the end of July; is that</p>

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<p>Page 49</p> <p>1 E. Laforest</p> <p>2 correct?</p> <p>3 A. Yeah, about there. Around there.</p> <p>4 Q. And you didn't receive the title around that</p> <p>5 time --</p> <p>6 A. No.</p> <p>7 Q. -- is that correct?</p> <p>8 A. That's correct.</p> <p>9 Q. But you didn't make any more calls to the</p> <p>10 dealership asking about the title?</p> <p>11 A. No. Because after they called me, he told me</p> <p>12 kind of just he -- he said he wants to make this</p> <p>13 headache go away, and can I just bring the car back so</p> <p>14 they can reverse it. And I said okay.</p> <p>15 Q. And who were you speaking with?</p> <p>16 A. From what he sounded -- he sounded like a</p> <p>17 white guy, honestly. I'm not too sure.</p> <p>18 Q. Okay. And when you say, "make this headache</p> <p>19 go away," are you referring to Ms. Francois's</p> <p>20 complaint?</p> <p>21 A. I'm guessing that's what he was referring to.</p> <p>22 I'm not too sure what he was referring to. He just</p> <p>23 told me that over the phone. I told him okay, I'll</p> <p>24 just bring the car back.</p> <p>25 MS. CATHERINE: Mark this as Exhibit 16,</p>	<p>Page 51</p> <p>1 E. Laforest</p> <p>2 happened.</p> <p>3 Q. Okay. Do you recognize Exhibit 16?</p> <p>4 A. Yes, this is the person I told you I tried</p> <p>5 to -- this is my -- my female friend.</p> <p>6 Q. Like your --</p> <p>7 MR. SELVEY: I'm sorry. Can you repeat that</p> <p>8 answer? I -- I didn't hear it.</p> <p>9 THE WITNESS: This is the -- this is the</p> <p>10 person that said I could use her name. This is the</p> <p>11 main reason why I went down to the dealer.</p> <p>12 BY MS. CATHERINE:</p> <p>13 Q. I see, the drive -- you're referring to the</p> <p>14 driver's license, right?</p> <p>15 A. Yeah.</p> <p>16 Q. And so that picture of the driver's license,</p> <p>17 you were providing that to the dealership because you</p> <p>18 were planning on applying for the --</p> <p>19 A. Yeah, me and get were going to co-sign.</p> <p>20 Q. -- you and her together? Okay.</p> <p>21 A. Yeah. But they said they couldn't do it on</p> <p>22 her.</p> <p>23 Q. And do you have that phone number that you</p> <p>24 were texting with?</p> <p>25 A. Which one that --</p>
<p>Page 50</p> <p>1 E. Laforest</p> <p>2 please.</p> <p>3 (Plaintiff's Exhibit 16 was marked for</p> <p>4 identification.)</p> <p>5 BY MS. CATHERINE:</p> <p>6 Q. The person you said you were speaking with at</p> <p>7 the dealership who referred to "making the headache go</p> <p>8 away," was that the same person who you spoke to when</p> <p>9 you went into the dealership on May 30th?</p> <p>10 A. No. The person I was speaking to when I went</p> <p>11 to the dealership, he was a -- he was young, but this</p> <p>12 guy sounded a little older.</p> <p>13 Q. Okay. And this person just called you out of</p> <p>14 the blue? You just got a call and --</p> <p>15 A. He called me and he said Farah was there. I</p> <p>16 was confused to why she was there because we already</p> <p>17 spoke, like, we -- before. So I guess she wanted to</p> <p>18 know what was going on and he was just like, listen,</p> <p>19 just bring the car back. I want -- I want to make this</p> <p>20 headache go away or whatever. And he said, I'll just</p> <p>21 reverse the transaction.</p> <p>22 And then he -- he also told that I could just</p> <p>23 come down after -- after -- he said after he made it go</p> <p>24 away, he'll just -- instead of reversing all the money,</p> <p>25 he'll put me in a different car, but that never</p>	<p>Page 52</p> <p>1 E. Laforest</p> <p>2 Q. The -- whichever number you were, you know,</p> <p>3 texting her with.</p> <p>4 A. That's all on my old phone.</p> <p>5 Q. Okay. Do you still have that phone?</p> <p>6 A. Yeah, I have that phone.</p> <p>7 Q. So you could obtain that -- you can find out</p> <p>8 what that phone number is?</p> <p>9 A. Uh-huh.</p> <p>10 Q. All right. And the driver's license is for a</p> <p>11 person named Jami Singer?</p> <p>12 A. Jami Singer. Yeah.</p> <p>13 Q. Was that --</p> <p>14 A. Should I spell Singer?</p> <p>15 Q. Sure. It's --</p> <p>16 A. Singer. Singer. S-I-N-G-E-R.</p> <p>17 MS. CATHERINE: And if you can make a note,</p> <p>18 Court Reporter, that the following number should be</p> <p>19 redacted in the transcripts.</p> <p>20 BY MS. CATHERINE:</p> <p>21 Q. Mr. Laforest, Do you see the text below the</p> <p>22 picture of the driver's license that's says --</p> <p>23 A. Yeah. That's -- that's Jami's Social.</p> <p>24 Q. Okay. It's a third-party Social Security</p> <p>25 number. I'm just -- I'm just making a note in the</p>

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<p style="text-align: right;">Page 53</p> <p>1 E. Laforest</p> <p>2 transcript to do so. So you and the dealership were</p> <p>3 planning on having a vehicle sold in Ms. Singer's name;</p> <p>4 is that correct?</p> <p>5 A. It was supposed to be under me and -- me</p> <p>6 and -- it was supposed to be -- she was supposed to be</p> <p>7 my co-applicant.</p> <p>8 Q. And this -- and these text messages were sent</p> <p>9 on September 25th, 2020, correct?</p> <p>10 A. Correct.</p> <p>11 Q. And so were you planning on getting another</p> <p>12 vehicle besides the one you had purchased on May 30th?</p> <p>13 A. I don't -- to be honest with you, I don't</p> <p>14 really remember which vehicle we applied for with this</p> <p>15 one. It just actually when I got down there, he said</p> <p>16 he's going to do -- I had to do an application again.</p> <p>17 He ran this again and he was, like, she wasn't able to.</p> <p>18 He asked me if I had somebody else and he</p> <p>19 asked me about the -- the other -- basically Farah's</p> <p>20 ID. And I was like, well, just check and let me see.</p> <p>21 And then when he came back, he was like, you-all got</p> <p>22 approved on the -- and he said you-all got approved but</p> <p>23 this is the car that I got approved for it.</p> <p>24 And I was like -- I was a little hesitant,</p> <p>25 like, do you mind if I -- let me just come back. He</p>	<p style="text-align: right;">Page 55</p> <p>1 E. Laforest</p> <p>2 Q. Other than what we've talked about so far, do</p> <p>3 you recall anything else that the person from the</p> <p>4 dealership said to you during that phone conversation</p> <p>5 on September 25th?</p> <p>6 A. No. Maybe -- like I said, he said Farah was</p> <p>7 here or whatever. He asked me [inaudible 01:10:14] and</p> <p>8 I told him yeah. Then he was, like, well -- he said</p> <p>9 something about -- about just -- like I said, he just</p> <p>10 said something about, you know what, she's giving me a</p> <p>11 headache. Just, you know, bring the car back so I can</p> <p>12 make this headache go away and I'll put you in another</p> <p>13 car. And I told him okay. But he was, like, just</p> <p>14 bring another co-applicant.</p> <p>15 Q. And if you go to the last page of that</p> <p>16 exhibit, there's a contact card sent by you for</p> <p>17 Ms. Francois. Do you see that?</p> <p>18 A. Yeah.</p> <p>19 Q. And --</p> <p>20 A. Because he was asking me to tell her to come</p> <p>21 back to the store I guess to reverse the transaction.</p> <p>22 But I don't know if she ever went or not.</p> <p>23 Q. Okay. So he asked you to provide her contact</p> <p>24 information so they --</p> <p>25 A. Yeah. Yeah. He got -- he contacted her.</p>
<p style="text-align: right;">Page 54</p> <p>1 E. Laforest</p> <p>2 was like, no, no. It's going to go away. You might as</p> <p>3 well just hop on it, get it, and speak to her later.</p> <p>4 And I said, all right.</p> <p>5 Q. Going on to the next page on that exhibit, you</p> <p>6 texted the dealership a video.</p> <p>7 A. A video. This is when I -- he told me just</p> <p>8 park the car and leave the keys in the car. So I sent</p> <p>9 them the video and I said this is where the car was at.</p> <p>10 And he told me okay.</p> <p>11 Q. And he told you to do this over the phone?</p> <p>12 A. Yes, ma'am.</p> <p>13 Q. Like he -- you -- you spoke with him over the</p> <p>14 phone. You called him.</p> <p>15 A. Yeah, this is when he called me.</p> <p>16 Q. Right.</p> <p>17 A. This is when he called me telling me bring the</p> <p>18 car back, whatever, whatever. And I told him okay.</p> <p>19 Q. And since these text messages were on</p> <p>20 September 26th, is it fair to assume that your phone</p> <p>21 conversation with the person at the dealership was on</p> <p>22 September 26th?</p> <p>23 A. It happened, then, on the 25th because I told</p> <p>24 him -- he called me. I sent -- I went back -- I</p> <p>25 brought the car that day after -- the morning after.</p>	<p style="text-align: right;">Page 56</p> <p>1 E. Laforest</p> <p>2 Q. So the dealership knew that they didn't have a</p> <p>3 phone number that they could reach Ms. Francois at,</p> <p>4 correct?</p> <p>5 A. I'm not too sure, because she went there. So</p> <p>6 I don't know if she gave them the number or not.</p> <p>7 Q. Okay. But the dealership knew that the phone</p> <p>8 number that you had put for her in the application was</p> <p>9 not her phone number, correct?</p> <p>10 A. Yeah.</p> <p>11 MS. CATHERINE: Okay. And if we could mark</p> <p>12 this as Exhibit 18, please.</p> <p>13 THE REPORTER: 17.</p> <p>14 MS. CATHERINE: 17, I'm sorry. I changed the</p> <p>15 order of exhibits and got myself all messed up.</p> <p>16 (Plaintiff's Exhibit 17 was marked for</p> <p>17 identification.)</p> <p>18 FURTHER EXAMINATION</p> <p>19 BY MR. KESHAVARZ:</p> <p>20 Q. Before we go on, let me just ask if -- I'm</p> <p>21 Ahmad Keshavarz. I'm the other lawyer. Nice to meet</p> <p>22 you, sir. So when you went to the dealership, the</p> <p>23 person you spoke with, how would you describe them</p> <p>24 again?</p> <p>25 A. The person I spoke with?</p>

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<p style="text-align: right;">Page 57</p> <p>1 E. Laforest</p> <p>2 Q. Yeah, when you went in person.</p> <p>3 A. That did everything --</p> <p>4 Q. Sorry?</p> <p>5 A. That did everything for me?</p> <p>6 Q. Yes.</p> <p>7 A. He was slim, caramel skin. He was, like,</p> <p>8 about 6'2.</p> <p>9 Q. All right. Do you have any idea about how old</p> <p>10 he was? A young guy, old guy?</p> <p>11 A. 32, 33, 34, around there.</p> <p>12 Q. Uh-huh. Do you remember, did he ever give you</p> <p>13 a card?</p> <p>14 A. Yeah. But that's long gone. Yeah.</p> <p>15 Q. Do you remember if his name was David Perez?</p> <p>16 A. He didn't look Spanish. I don't -- I don't</p> <p>17 remember. I can't tell you.</p> <p>18 Q. Did you say he did or didn't look Spanish?</p> <p>19 A. No, he didn't look Spanish.</p> <p>20 Q. Okay. So if I understand what you -- you were</p> <p>21 saying, you were going through an ID for -- I guess she</p> <p>22 was your girlfriend?</p> <p>23 A. Jami, yeah.</p> <p>24 Q. Yeah. And then when you were going through</p> <p>25 the IDs, you -- the dealership, Victory dealership</p>	<p style="text-align: right;">Page 59</p> <p>1 E. Laforest</p> <p>2 says it's okay to run her credit? You never said</p> <p>3 anything like that?</p> <p>4 A. We never spoke on that. That's all he just --</p> <p>5 he just was, like, can we use her name. I said okay.</p> <p>6 I said just check. I said just check and let's see.</p> <p>7 Q. All right.</p> <p>8 A. And it went through.</p> <p>9 Q. All right. So Ms. Francois didn't know</p> <p>10 anything about you going to the dealership when you did</p> <p>11 on May 30th; is that right?</p> <p>12 A. No. She wasn't aware yet.</p> <p>13 Q. Yeah. When was the first time that you ever</p> <p>14 talked to her about the purchase of this car in her</p> <p>15 name?</p> <p>16 A. It was a couple of weeks after.</p> <p>17 Q. Okay. When -- at the dealership they told you</p> <p>18 that it was going to be a joint purchase.</p> <p>19 A. Yeah. They definitely told me. After she got</p> <p>20 approved, she said -- he said you-all got approved and</p> <p>21 I said okay.</p> <p>22 Q. They said it would be a joint purchase for you</p> <p>23 and Ms. Francois.</p> <p>24 A. He said -- yeah. He said my name will be on</p> <p>25 the title.</p>
<p style="text-align: right;">Page 58</p> <p>1 E. Laforest</p> <p>2 saw --</p> <p>3 A. He noticed the other one.</p> <p>4 Q. He noticed the ID for Ms. Francois.</p> <p>5 A. So he ran her name with mine. He was, like,</p> <p>6 well, she didn't get approved and if -- if she did, I'd</p> <p>7 have to put way more money down. So I'm, like, I don't</p> <p>8 have it. And he was, like, how about the other person?</p> <p>9 I'm just, like, we can check to see. After he checked</p> <p>10 he was, like, yeah, you definitely got approved. If</p> <p>11 you want it -- he said if you want it, you can go off</p> <p>12 the lot or whatever with it.</p> <p>13 I was a little hesitant because I'm going</p> <p>14 to -- honestly, I really wanted to ask her first. But</p> <p>15 I'm pretty sure if I asked if, she would have been okay</p> <p>16 with at -- in the very beginning. But he was, like,</p> <p>17 no, just go. Just do it later or whatever. So they</p> <p>18 got the car and -- and I drove off the lot with it.</p> <p>19 Q. So when they ran her credit report, you never</p> <p>20 told the dealership that she gave you permission to buy</p> <p>21 a car in her name or to pull a credit check?</p> <p>22 A. He didn't even ask. I guess they was just so</p> <p>23 happy that they was making a sale. He didn't even</p> <p>24 bother to ask me none -- not of that.</p> <p>25 Q. So you never told him that, hey, Ms. Francois</p>	<p style="text-align: right;">Page 60</p> <p>1 E. Laforest</p> <p>2 Q. Okay. And so then the first time you talked</p> <p>3 to Ms.-- to your knowledge, the first time Ms. Francois</p> <p>4 knew anything about the sale when -- was when you</p> <p>5 talked to her a few weeks later?</p> <p>6 A. Yeah. She had -- I think she had called my</p> <p>7 brother. I don't -- honestly I don't even know what</p> <p>8 happen. I know she had called my brother. And she</p> <p>9 ended up calling me, and then we spoke, and she was,</p> <p>10 like, well, you should have never did that. You should</p> <p>11 have at least told me. And I told her yeah. And then</p> <p>12 she was, like, all right. She had no problem with</p> <p>13 that.</p> <p>14 And I told her, by December the car is going</p> <p>15 to fully be paid for. And she said all right. She was</p> <p>16 cool with it. A couple of weeks later, maybe like a</p> <p>17 month later, I'm guessing she ended up going to the</p> <p>18 dealership. And that's when the guy called me.</p> <p>19 Q. All right. So then you're thinking if the guy</p> <p>20 called you from dealership around September 25th,</p> <p>21 that -- that's when -- that's when the dealership</p> <p>22 called you?</p> <p>23 A. Yeah.</p> <p>24 Q. So then you -- you think you talked to</p> <p>25 Ms. Francois around August?</p>

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<p style="text-align: right;">Page 61</p> <p>1 E. Laforest</p> <p>2 A. I would say so. Yeah. Like --</p> <p>3 Q. Okay.</p> <p>4 A. -- around there.</p> <p>5 Q. And did she call you or did you call her?</p> <p>6 A. No, she ended up calling me.</p> <p>7 Q. What did she tell you when she called you?</p> <p>8 A. She just was asking me, like, why -- like why</p> <p>9 did I use her name or whatever. And I told her, like,</p> <p>10 I didn't really mean to use it. The guy, just like --</p> <p>11 it just happened. And she was, like -- well, she said</p> <p>12 it was okay and don't worry about it. It ain't going</p> <p>13 to be no problem as long as -- as long as I pay</p> <p>14 whatever I had to pay.</p> <p>15 That's when I ended up paying all the parking</p> <p>16 tickets. And then she -- and I was always up to date</p> <p>17 with my payments, so she was, like, all right. And I</p> <p>18 told her by December, it would have been finished --</p> <p>19 like it would have been off -- off the thing. I'm</p> <p>20 going to finish paying it off. And she agreed. So</p> <p>21 it's -- I guess, I don't know, sometime after that, I</p> <p>22 guess she just changed her mind. I'm not too sure.</p> <p>23 Q. So let me get the years right. When you went</p> <p>24 to talking with the person at the dealership in</p> <p>25 September 25th, do you mean you would have paid off the</p>	<p style="text-align: right;">Page 63</p> <p>1 E. Laforest</p> <p>2 A. He said something about the bank. Well, he</p> <p>3 said -- yeah, basically that's what he was telling me.</p> <p>4 He was, like, the bank would have to put the rest.</p> <p>5 Q. Okay. Did he tell you that the loan would be</p> <p>6 Ms. Francois's name or your name?</p> <p>7 A. He said both of our names.</p> <p>8 Q. Okay. And so he told you that price --</p> <p>9 initially he told you the price was 20,000. But then</p> <p>10 he said the price was 29,000 because of additional</p> <p>11 fees?</p> <p>12 A. Yeah, something like that.</p> <p>13 Q. Did he say you had to buy an extended warranty</p> <p>14 program?</p> <p>15 A. Warranty? He didn't say nothing like that.</p> <p>16 He didn't say nothing about no warranty.</p> <p>17 Q. So when you left the dealership, you thought</p> <p>18 there was \$29,000 left to pay on the vehicle after you</p> <p>19 put the money down, was that your understanding?</p> <p>20 A. Yeah.</p> <p>21 Q. And that you have to pay about 601 a month?</p> <p>22 A. 601. That's much I was paying, 601. Yeah.</p> <p>23 Q. And did you actually make your payments?</p> <p>24 A. Yeah.</p> <p>25 Q. Who does make the payments to?</p>
<p style="text-align: right;">Page 62</p> <p>1 E. Laforest</p> <p>2 car that December?</p> <p>3 A. Yeah. That December. The car was already</p> <p>4 going to be been paid off for. I only owed them, like,</p> <p>5 close to, like, 26,900, around there.</p> <p>6 Q. Okay. So what was your understanding about</p> <p>7 how much you had to pay -- how many more payments you</p> <p>8 had to make for the car? What was your understanding?</p> <p>9 A. When I -- when I put the money down or</p> <p>10 whatever, he said he would call this around 28,000.</p> <p>11 Yeah. So based off of that, I only owed 22,000. But</p> <p>12 when he had gave me a paper, he was, like, he circle</p> <p>13 the balance. And it went from 20 to, like, almost 29,</p> <p>14 yeah.</p> <p>15 And then I asked him about that. He was,</p> <p>16 like, yeah, that's a whole bunch of fees or whatever.</p> <p>17 And then he took the paper back. And then he was,</p> <p>18 like, well, this is what you're going to pay every</p> <p>19 month, which was, like, 601, and that was it.</p> <p>20 Q. So he told you, you have to pay 601 and -- and</p> <p>21 then did he tell you about how much the loan would be?</p> <p>22 A. No.</p> <p>23 Q. All right. Did he say you would be taking --</p> <p>24 getting a loan out in your name or a loan would be</p> <p>25 taken out in Ms. Francois's name?</p>	<p style="text-align: right;">Page 64</p> <p>1 E. Laforest</p> <p>2 A. Capital One.</p> <p>3 Q. How did you make those payments?</p> <p>4 A. I went to the teller. Some of them --</p> <p>5 sometimes I went to the teller, sometimes I paid it</p> <p>6 online.</p> <p>7 Q. Do you have any of those receipts?</p> <p>8 A. I got a -- I think I should have a couple of</p> <p>9 those.</p> <p>10 Q. Would it surprise you to -- to learn that</p> <p>11 Capital One says they never got any money for this car?</p> <p>12 A. That's a lie. I got receipts.</p> <p>13 Q. You have them with you?</p> <p>14 A. I can get them.</p> <p>15 Q. All right. Well, tell me about that. You</p> <p>16 went to the -- so how many payments did you make in</p> <p>17 person and then online?</p> <p>18 A. All of them. Like about -- I made, like,</p> <p>19 about four or five payments.</p> <p>20 Q. Of 601 each?</p> <p>21 A. Yeah.</p> <p>22 Q. And out of those four or five payments, how</p> <p>23 much were in person at a teller?</p> <p>24 A. Like twice.</p> <p>25 Q. And how many of those were online?</p>

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<p style="text-align: right;">Page 65</p> <p>1 E. Laforest</p> <p>2 A. Like four or five.</p> <p>3 Q. All right. Well, I sound surprised because</p> <p>4 it's my -- my understanding is that they're saying they</p> <p>5 never got any payments.</p> <p>6 A. Trust me, I have to show you the receipt.</p> <p>7 Q. So you have receipts --</p> <p>8 A. I'm confident about that.</p> <p>9 Q. You have receipts from when you went to the</p> <p>10 teller.</p> <p>11 A. Yeah. I keep my receipts.</p> <p>12 Q. All right. Well, can you -- can you get them</p> <p>13 to us?</p> <p>14 A. Yeah, that's not a problem.</p> <p>15 Q. Or you can even just take a picture of them --</p> <p>16 A. How could Capital One tell you that?</p> <p>17 Q. I don't know. Why would the car dealership</p> <p>18 say, get a car in -- in Ms. Francois's name, right?</p> <p>19 Something is going on here, right? We're just trying</p> <p>20 to figure out what it was. And that's basically what</p> <p>21 this all -- I mean, that's what we're trying to figure</p> <p>22 out. So -- all right. Can you take a picture of those</p> <p>23 and text that to us?</p> <p>24 A. That's not a problem. I'm going to show --</p> <p>25 I'm going to get it to you right away.</p>	<p style="text-align: right;">Page 67</p> <p>1 E. Laforest</p> <p>2 the -- on the bill, I -- with the receipt. They --</p> <p>3 they stapled it together.</p> <p>4 Q. All right. And you have those documents?</p> <p>5 A. I have them.</p> <p>6 Q. All right. That's one of the things -- have</p> <p>7 it. All right. Now --</p> <p>8 MR. SELVEY: We would request to the extent</p> <p>9 that you do acquire those, that you share them.</p> <p>10 BY MR. KESHAVARZ:</p> <p>11 Q. Yeah, okay. All right. So -- that's</p> <p>12 interesting. So you have access -- so did you have to</p> <p>13 create an account?</p> <p>14 A. You said Capital One never -- said I never</p> <p>15 made one payment?</p> <p>16 Q. That's my understanding. So that's why I'm</p> <p>17 real interested in -- if you have any proof of payments</p> <p>18 that's news to me. I'd be interested in finding that.</p> <p>19 Now, how did you get online --</p> <p>20 A. So if -- if I showed you the receipt, what</p> <p>21 would happen?</p> <p>22 Q. Oh, I -- I'm not your attorney. I can't</p> <p>23 represent you. But I'm just trying to find -- I'm just</p> <p>24 trying to find out the facts. You know, I'm just</p> <p>25 trying to find out what happened. All right. So how</p>
<p style="text-align: right;">Page 66</p> <p>1 E. Laforest</p> <p>2 Q. All right. Did they -- did you get e-mails</p> <p>3 from Capital One to verify the payments?</p> <p>4 A. Yeah, I probably did.</p> <p>5 Q. How did you get access online to the -- you</p> <p>6 have access online to the account?</p> <p>7 A. No, I just called them by phone.</p> <p>8 Q. Okay. So -- so how does that work?</p> <p>9 A. You call Capital One, you give them the</p> <p>10 account number. Once you -- once you type in that</p> <p>11 account number, it tells you how much you owe, how you</p> <p>12 can pay, and stuff like that.</p> <p>13 Q. The account number for the car loan?</p> <p>14 A. Yeah.</p> <p>15 Q. How did you get the account number for the car</p> <p>16 loan?</p> <p>17 A. I -- I think it was with the information the</p> <p>18 guy gave to me.</p> <p>19 Q. When you were there on May 30th or when?</p> <p>20 A. It was some type of paperwork they had gave me</p> <p>21 and it was on there.</p> <p>22 Q. All right.</p> <p>23 A. I made my first payment when I went to the --</p> <p>24 when I went to the -- when I went to Capital One to</p> <p>25 make the payment, they gave me the account number on</p>	<p style="text-align: right;">Page 68</p> <p>1 E. Laforest</p> <p>2 did you get online access to make the payments?</p> <p>3 A. I told you, I didn't go online.</p> <p>4 Q. Oh, there was phone call, excuse me. That's</p> <p>5 what you told me. All right. So what papers did the</p> <p>6 dealership -- how many pieces of paper did the</p> <p>7 dealership give you when you left?</p> <p>8 A. Something like an envelope with the receipt, a</p> <p>9 couple of papers with my name on it. Some of the</p> <p>10 papers had the VIN number on it with my name on it,</p> <p>11 address, and that was it, really. It wasn't really</p> <p>12 that much papers they had gave me.</p> <p>13 Q. Well, did they give you papers that are not in</p> <p>14 front of you as an exhibit?</p> <p>15 A. I mean, like, two or three.</p> <p>16 Q. Okay. What do you remember those pages were?</p> <p>17 A. It was about the -- they had my name on it</p> <p>18 with the VIN number, my address, Social, and they said</p> <p>19 Victory Mitsubishi on it.</p> <p>20 Q. Did it have anything about financial</p> <p>21 information, like, your income or anything like that?</p> <p>22 A. No.</p> <p>23 Q. No. Okay. Was there anything else, like, a</p> <p>24 long, thin piece of paper, like, 17 inches, 18 inches</p> <p>25 long?</p>

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<p style="text-align: right;">Page 69</p> <p>1 E. Laforest</p> <p>2 A. No.</p> <p>3 Q. All right. Do you still have those papers?</p> <p>4 A. I have to look for them. I'm not too sure.</p> <p>5 Q. If you have them, can you text them to us?</p> <p>6 A. No problem.</p> <p>7 MR. KESHAVERZ: All right. Okay. Do you have</p> <p>8 any other questions before?</p> <p>9 MS. CATERINE: Yeah.</p> <p>10 FURTHER DIRECT EXAMINATION</p> <p>11 BY MS. CATERINE:</p> <p>12 Q. Jami Singer, are you still in touch with her?</p> <p>13 A. Uh-huh.</p> <p>14 Q. Do you have her phone number?</p> <p>15 A. Maybe.</p> <p>16 Q. Could we get her phone number, please?</p> <p>17 A. I'd have to ask her.</p> <p>18 MR. KESHAVERZ: Is the information that's on</p> <p>19 her driver's license current, as far as you know?</p> <p>20 BY MS. CATERINE:</p> <p>21 Q. Is that her residence?</p> <p>22 A. Yeah.</p> <p>23 Q. And did you -- yeah, did you --</p> <p>24 MR. KESHAVERZ: Oh, before you get to that,</p> <p>25 when do you think you could come -- when can we take a</p>	<p style="text-align: right;">Page 71</p> <p>1 E. Laforest</p> <p>2 just -- he just cuffed me and he took me.</p> <p>3 Q. And what happened after that?</p> <p>4 A. What do you mean?</p> <p>5 Q. What happened in terms of being arrested? Did</p> <p>6 you -- did you -- were you prosecuted?</p> <p>7 A. I went to the precinct. I guess he called</p> <p>8 Farah and spoke with -- he spoke to Farah or whatever.</p> <p>9 And then they checked to see that the car was returned</p> <p>10 and everything. So I ended up going to court in, you</p> <p>11 know, like, November of 2021. The case got dismissed.</p> <p>12 Q. Okay. And do you know why it was dismissed?</p> <p>13 A. The lawyer didn't tell me much. He just said</p> <p>14 you don't got to go to court no more and I said okay.</p> <p>15 Q. And was -- do you recall the name of your</p> <p>16 lawyer?</p> <p>17 A. No, I don't remember his name.</p> <p>18 Q. Was it a legal --</p> <p>19 A. Yeah. It was a --</p> <p>20 Q. -- services attorney?</p> <p>21 A. -- legal defendant. It was a legal aid.</p> <p>22 Q. Legal Aid Society. Other than this arrest,</p> <p>23 have you ever been arrested before?</p> <p>24 A. For this.</p> <p>25 Q. Other than this time, are there any other</p>
<p style="text-align: right;">Page 70</p> <p>1 E. Laforest</p> <p>2 look at the phone? We just need -- when we get to the</p> <p>3 phone, can you just text them with the pictures that</p> <p>4 show the texts.</p> <p>5 THE WITNESS: All right. No problem. No</p> <p>6 problem.</p> <p>7 BY MS. CATERINE:</p> <p>8 Q. Thanks. All right. And now Exhibit 17.</p> <p>9 Okay. I know this might be difficult to talk about,</p> <p>10 Mr. Laforest, so take your time. Do you recognize this</p> <p>11 document?</p> <p>12 A. This is the day when I got arrested for it.</p> <p>13 Q. And when you got arrested, what was your</p> <p>14 understanding of why you were being arrested?</p> <p>15 A. At first I didn't know anything. I didn't</p> <p>16 know what was going on until the detective -- when the</p> <p>17 cop that came and got me asked me, did you get a car</p> <p>18 under somebody else's name. And that's when I</p> <p>19 understood what was going on. But then, in the end,</p> <p>20 the car was already returned. That's why I thought</p> <p>21 everything went back to normal, you know.</p> <p>22 Q. So you got arrested. The detective asked you</p> <p>23 if you had ever gotten a car in someone else's name.</p> <p>24 And what did you say to the detective?</p> <p>25 A. I didn't say much. I just said okay. And I</p>	<p style="text-align: right;">Page 72</p> <p>1 E. Laforest</p> <p>2 times you've been arrested?</p> <p>3 A. You mean for this -- for, like, cars?</p> <p>4 Q. For anything.</p> <p>5 A. I mean, I guess a couple of times when I was,</p> <p>6 like, younger.</p> <p>7 Q. And what were you arrested for?</p> <p>8 A. Like -- like weed and stuff like that.</p> <p>9 Q. Have you ever been arrested for identity --</p> <p>10 anything to do with identity theft?</p> <p>11 A. Yeah, once.</p> <p>12 Q. And what were the circumstances of that?</p> <p>13 A. Just receiving stolen property.</p> <p>14 Q. And what was the stolen property?</p> <p>15 A. Repeat that again. What was the stolen --</p> <p>16 Q. What was the stolen property?</p> <p>17 A. A MacBook or two.</p> <p>18 Q. I see. And where did you get those MacBooks</p> <p>19 from?</p> <p>20 A. I don't remember. It's been -- that was a</p> <p>21 long time ago.</p> <p>22 Q. About how many years?</p> <p>23 A. Like 2011.</p> <p>24 Q. Did Victory Mitsubishi ask you if you had a</p> <p>25 criminal record?</p>

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<p style="text-align: right;">Page 73</p> <p>1 E. Laforest</p> <p>2 A. No. Did they ask you that?</p> <p>3 Q. No, it's my question. Do you know if they ran</p> <p>4 a criminal background check on you?</p> <p>5 A. No, I'm not too sure. They didn't say nothing</p> <p>6 about it, though.</p> <p>7 Q. If the defendants in this case say that the</p> <p>8 identity theft against Ms. Francois was all your fault</p> <p>9 and that they had no role in it, how would you respond</p> <p>10 to that?</p> <p>11 A. That's a lie, because I told him everything</p> <p>12 what it was. It's not like I went there and I didn't</p> <p>13 tell him what it was. I told him what it was. They --</p> <p>14 they just wanted a sale so they got a sale.</p> <p>15 Q. Do you think the defendants did anything wrong</p> <p>16 here?</p> <p>17 A. Who are the defendants, Victory Mitsubishi?</p> <p>18 Q. Yes.</p> <p>19 A. I mean, I can't go to any other car lot and do</p> <p>20 that so --</p> <p>21 Q. And when you say, you "can't go to any other</p> <p>22 car lot and do that," you mean --</p> <p>23 A. They would have asked me to bring the person</p> <p>24 in.</p> <p>25 MR. SELVEY: I'm going to object to that.</p>	<p style="text-align: right;">Page 75</p> <p>1 E. Laforest</p> <p>2 didn't really see her get up.</p> <p>3 Q. Do you know about how old she was?</p> <p>4 A. I'll say, like, middle forties, probably. I</p> <p>5 don't know.</p> <p>6 Q. And do you have any idea how much she might</p> <p>7 weigh? Was she overweight, or thin, or --</p> <p>8 A. She was medium-build for sure.</p> <p>9 MR. KESHAVARZ: Okay. All right. Sorry for</p> <p>10 jumping in.</p> <p>11 MS. CATHERINE: Oh, it's fine.</p> <p>12 BY MR. KESHAVARZ:</p> <p>13 Q. Anyone else at the dealership you spoke with</p> <p>14 other than her?</p> <p>15 A. No. That was it. I mean, it was just -- it</p> <p>16 was the guy that was showing me around that did</p> <p>17 everything and then she finalized everything and then</p> <p>18 that was it.</p> <p>19 Q. Do you know if there were any security cameras</p> <p>20 at the dealership? I know -- we know there's security</p> <p>21 cameras at the dealership anyway.</p> <p>22 A. I don't know.</p> <p>23 Q. No, you don't know one way or the other?</p> <p>24 A. I really wasn't paying attention to those</p> <p>25 cameras.</p>
<p style="text-align: right;">Page 74</p> <p>1 E. Laforest</p> <p>2 Objections are reserved.</p> <p>3 FURTHER EXAMINATION</p> <p>4 BY MR. KESHAVARZ:</p> <p>5 Q. Did they ever ask you to bring her in?</p> <p>6 A. I'm telling you they didn't even ask nothing.</p> <p>7 They just -- once they seen it was approved, everybody</p> <p>8 was just happy. Once I pulled out the money, it was,</p> <p>9 like, they stopped asking questions.</p> <p>10 Q. Did you talk to anyone -- besides who you've</p> <p>11 been addressing, that one person who's 6'2", did you</p> <p>12 talk to anyone else at the dealership that you</p> <p>13 remember?</p> <p>14 A. A lady that was taking the money. It was some</p> <p>15 lady there that was taking the money.</p> <p>16 Q. Did she hand write a receipt for you or print</p> <p>17 it?</p> <p>18 A. No, they printed it out, like, the copy that</p> <p>19 you showed me.</p> <p>20 Q. And is that -- well, what does that woman look</p> <p>21 like?</p> <p>22 A. She was, like, light-skinned. Like, I think</p> <p>23 she was Spanish. I'm not too sure.</p> <p>24 Q. Do you know how -- about how tall she was?</p> <p>25 A. No. She was sitting down the whole time. I</p>	<p style="text-align: right;">Page 76</p> <p>1 E. Laforest</p> <p>2 Q. Okay.</p> <p>3 A. I mean, if it's a dealership, then I don't</p> <p>4 know -- you-all haven't been there?</p> <p>5 FURTHER DIRECT EXAMINATION</p> <p>6 BY MS. CATHERINE:</p> <p>7 Q. We haven't had the pleasure. When you</p> <p>8 purchased the vehicle on May 30th, did they tell you at</p> <p>9 that time that you were going be making payments to</p> <p>10 Capital One?</p> <p>11 A. Did they tell me when? May -- I think June</p> <p>12 was going to be my first payment. June -- June was my</p> <p>13 first payment.</p> <p>14 Q. And you knew the financing was through Capital</p> <p>15 One?</p> <p>16 A. Yeah. He told me that.</p> <p>17 Q. And did they hand you any papers that had</p> <p>18 Capital One written on them?</p> <p>19 A. I think one of the papers with my name, and</p> <p>20 date of birth on it, and the VIN number had it.</p> <p>21 MS. CATHERINE: I'm sorry. Could you read back</p> <p>22 that last testimony, please?</p> <p>23 THE WITNESS: About what?</p> <p>24 MS. CATHERINE: Oh, I'm -- I'm talking to the</p> <p>25 court reporter. I'm sorry.</p>

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<p style="text-align: right;">Page 77</p> <p>1 E. Laforest</p> <p>2 THE REPORTER: From him?</p> <p>3 MS. CATERINE: Yes, please.</p> <p>4 (The previous question and answer were played back.)</p> <p>5 THE REPORTER: I'm sorry. Did you want after</p> <p>6 that?</p> <p>7 MS. CATERINE: Yeah. Thanks.</p> <p>8 THE REPORTER: I'm sorry.</p> <p>9 MS. CATERINE: That's all right.</p> <p>10 (The previous answer was read back.)</p> <p>11 MS. CATERINE: Okay. That's fine. Do you</p> <p>12 have any other questions?</p> <p>13 MR. KESHAVARZ: I was going to see if I</p> <p>14 could -- what's the name of the other one?</p> <p>15 MS. CATERINE: [inaudible 01:33:04].</p> <p>16 MR. KESHAVARZ: Okay. All right. Okay.</p> <p>17 Well, the attorney from the dealership can ask some</p> <p>18 questions if he has some.</p> <p>19 MR. SELVEY: Oh, yeah. I definitely do.</p> <p>20 MR. KESHAVARZ: He represents the car</p> <p>21 dealership.</p> <p>22 THE WITNESS: Okay.</p> <p>23 CROSS-EXAMINATION</p> <p>24 BY MR. SELVEY:</p> <p>25 Q. Good afternoon, Mr. Laforest. My name is</p>	<p style="text-align: right;">Page 79</p> <p>1 E. Laforest</p> <p>2 Q. Or I guess not today. It would have been a</p> <p>3 different day then.</p> <p>4 A. Yeah, but we ended up rescheduling it for</p> <p>5 today.</p> <p>6 Q. Right. Had you previously been scheduled for</p> <p>7 a different day?</p> <p>8 A. Yeah.</p> <p>9 Q. And did you show up for that deposition?</p> <p>10 A. I wasn't able to make it.</p> <p>11 Q. All right. What happened then?</p> <p>12 A. I had to go to work.</p> <p>13 Q. Okay. Did you speak with Emma anytime after</p> <p>14 that first time?</p> <p>15 A. I think we had text and then we had set up a</p> <p>16 date for a Thursday. But then it was rescheduled until</p> <p>17 today, the 25th.</p> <p>18 Q. Did you speak to her on the phone at any</p> <p>19 point?</p> <p>20 A. No.</p> <p>21 Q. And when you were text messaging her, did you</p> <p>22 discuss anything other than scheduling your deposition?</p> <p>23 A. No.</p> <p>24 Q. Okay. Going back to May 30th of 2020, you</p> <p>25 said that was the first time you went to Victory</p>
<p style="text-align: right;">Page 78</p> <p>1 E. Laforest</p> <p>2 Patrick Selvey. As I have stated, I represent the</p> <p>3 defendants in this action, Victory defendants, the</p> <p>4 individually named defendants. You've heard some names</p> <p>5 thrown about. They are some of them, if not all of</p> <p>6 them, individually named in Ms. Francois's complaint.</p> <p>7 Just some background to start. When did you first</p> <p>8 speak with Ms. Catherine here?</p> <p>9 A. Who?</p> <p>10 Q. Emma. I believe she called you; is that</p> <p>11 correct?</p> <p>12 A. Yeah. She -- I don't know. I forgot when she</p> <p>13 called me. Probably, like, a month ago or so.</p> <p>14 Q. And how long did you speak with her then?</p> <p>15 A. Probably a minute -- a minute or two.</p> <p>16 Q. All right. And what did you talk about?</p> <p>17 A. The subpoena that when -- when I first</p> <p>18 received it, I ended up calling the number.</p> <p>19 Q. Okay. And what did she tell you about the</p> <p>20 subpoena?</p> <p>21 A. That it was a just the motion -- I mean, a</p> <p>22 deposition. They needed my testimony.</p> <p>23 Q. All right. And she told you needed to appear</p> <p>24 today?</p> <p>25 A. Yeah.</p>	<p style="text-align: right;">Page 80</p> <p>1 E. Laforest</p> <p>2 Mitsubishi in person?</p> <p>3 A. Yeah.</p> <p>4 Q. And you said you went -- you said you went in</p> <p>5 person with someone else; that's correct?</p> <p>6 A. No. I said I went by myself.</p> <p>7 Q. Yeah. In person by yourself?</p> <p>8 A. Yeah.</p> <p>9 Q. So correct me, my notes say that you said, "we</p> <p>10 went to the dealership, they ran my credit, they ran</p> <p>11 her credit. They said that they could put the car</p> <p>12 under her name."</p> <p>13 A. Yeah, no. That was -- you sure I said we --</p> <p>14 we went to the dealership?</p> <p>15 Q. I -- I specifically noted it, because I was</p> <p>16 curious who you were talking about. But now you're</p> <p>17 saying that you went to the dealership by yourself on</p> <p>18 May 30th?</p> <p>19 A. Yeah.</p> <p>20 Q. And you're saying you did not go with Farah</p> <p>21 Francois?</p> <p>22 A. No.</p> <p>23 Q. And you did not go with Jami Singer?</p> <p>24 A. No.</p> <p>25 Q. You said you had IDs on that date. How many</p>

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<p style="text-align: right;">Page 81</p> <p>1 E. Laforest</p> <p>2 IDs did you have with you?</p> <p>3 A. I just had mines. Jami text me that ID and I</p> <p>4 had Farah's.</p> <p>5 Q. Okay. But you said you were planning on</p> <p>6 getting the car under --</p> <p>7 A. Under Jami, jointly.</p> <p>8 Q. Jointly under your name and Jami's name?</p> <p>9 A. Yeah.</p> <p>10 Q. But you said she didn't come with you?</p> <p>11 A. No.</p> <p>12 Q. All right. And you said you're still in</p> <p>13 contact with Jami?</p> <p>14 A. Yeah.</p> <p>15 Q. How -- how are you -- when did you last</p> <p>16 communicate with Jami?</p> <p>17 A. Probably, like, yesterday.</p> <p>18 Q. And how did you communicate with her? Was</p> <p>19 that on -- on the phone, text message, Facebook,</p> <p>20 something else?</p> <p>21 A. Text message.</p> <p>22 Q. Text message. All right. And so you do have</p> <p>23 her -- her phone number?</p> <p>24 A. Correct.</p> <p>25 Q. All right. Could you please provide that for</p>	<p style="text-align: right;">Page 83</p> <p>1 E. Laforest</p> <p>2 for the records, so he can make sure to get everything</p> <p>3 down on a transcript later, it's important that we</p> <p>4 don't talk over each other.</p> <p>5 So I'm going to try and let you finish if you</p> <p>6 could try and wait until I'm done talking. It's --</p> <p>7 it's hard because it seems like a conversation, but</p> <p>8 because he's trying to put it down in writing it --</p> <p>9 it's better that way, all right?</p> <p>10 A. (No verbal response.)</p> <p>11 Q. Thank you. So she already had a car. She</p> <p>12 didn't need a car?</p> <p>13 A. No.</p> <p>14 Q. All right. And then, was she going to be</p> <p>15 making any payments on that car or was she just going</p> <p>16 to be using her name and her credit?</p> <p>17 A. It'd be just her name and credit. I would</p> <p>18 have been paying for it.</p> <p>19 Q. Okay. And when did you -- when did you decide</p> <p>20 that -- sorry, strike that.</p> <p>21 When did she first agree to co-sign the</p> <p>22 application for that car?</p> <p>23 A. The minute I asked her.</p> <p>24 Q. All right. And was that on May 30, 2020, or</p> <p>25 some time before that?</p>
<p style="text-align: right;">Page 82</p> <p>1 E. Laforest</p> <p>2 the record?</p> <p>3 A. Why?</p> <p>4 Q. We need to communicate with her.</p> <p>5 A. For what?</p> <p>6 Q. She's a witness of, potentially a crime, but</p> <p>7 certainly the allegations set forth in the plaintiff's</p> <p>8 complaint.</p> <p>9 A. It's (347) 401-4158.</p> <p>10 Q. All right. And so prior to 5-30-2020, you --</p> <p>11 you spoke with Ms. Singer about your need for a car for</p> <p>12 work?</p> <p>13 A. We did. We spoke about it. She had no</p> <p>14 problem doing it for me.</p> <p>15 Q. All right. And what was it that she had</p> <p>16 agreed to do exactly?</p> <p>17 A. Either put the car under her name or be a</p> <p>18 co-applicant.</p> <p>19 Q. And were you two going to share the car or was</p> <p>20 it just going to be your --</p> <p>21 A. She already had her own car. It was going to</p> <p>22 be my car.</p> <p>23 Q. All right. I'm just going to ask if you could</p> <p>24 let me finish my sentence before you answer. I know</p> <p>25 sometimes you can predict what I'm going to say. But</p>	<p style="text-align: right;">Page 84</p> <p>1 E. Laforest</p> <p>2 A. It was some time before that.</p> <p>3 Q. So you went to the dealership. You had your</p> <p>4 driver's license, and you had Farah Francois's driver's</p> <p>5 license, and that's all, correct?</p> <p>6 A. Correct.</p> <p>7 Q. All right. And Jami Singer did not go with</p> <p>8 you?</p> <p>9 A. No.</p> <p>10 Q. Did you discuss going with her before you went</p> <p>11 in all by yourself?</p> <p>12 A. When I had called her she said if she had to</p> <p>13 come, she'll just come.</p> <p>14 Q. Okay. Was she -- was she in the area?</p> <p>15 A. No. She lives in Brooklyn.</p> <p>16 Q. Did it occur to you that she might need to be</p> <p>17 there to co-sign for a loan?</p> <p>18 A. If she had to, she said she would have came.</p> <p>19 Q. Before you went to the dealership on -- on May</p> <p>20 30, did you have any reason to think that you would be</p> <p>21 able to purchase a car in her name without her being</p> <p>22 there?</p> <p>23 A. Usually when you apply for a car, you can just</p> <p>24 do the application online or go to the store. But</p> <p>25 other than that, they'll let you know if -- they'll let</p>

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<p style="text-align: right;">Page 85</p> <p>1 E. Laforest</p> <p>2 you know if you've got to bring the person in or not.</p> <p>3 Q. So walk me through the conversation when you</p> <p>4 first got to the dealership. You -- you came in and</p> <p>5 you told -- you said you were talking to a -- a man and</p> <p>6 you told him, I want to buy a car jointly in me and my</p> <p>7 girlfriend's name?</p> <p>8 A. No. First I said I wanted to finance the car</p> <p>9 under my name.</p> <p>10 Q. Okay.</p> <p>11 A. But that wasn't going to go. So he said get a</p> <p>12 co-applicant, that's why I asked. But I already had</p> <p>13 asked Jami a while ago and she said okay. So I texted</p> <p>14 her. She sent me the -- her Social and everything, so</p> <p>15 I gave it to him. And he went inside to go do the</p> <p>16 application.</p> <p>17 Q. All right. I'm just trying to get a timeline</p> <p>18 together here. So did you know you needed a</p> <p>19 co-applicant before or after you visited the dealership</p> <p>20 in person on May 30th?</p> <p>21 A. I found out after he ran the application --</p> <p>22 when he ran the application.</p> <p>23 Q. And was that -- was that before or after you</p> <p>24 came down in person to the -- to the dealership?</p> <p>25 A. I'm not too sure. But I know he did it again</p>	<p style="text-align: right;">Page 87</p> <p>1 E. Laforest</p> <p>2 A. Because of her credit.</p> <p>3 Q. Because of her credit?</p> <p>4 A. Yeah.</p> <p>5 Q. Did they say anything about your credit at the</p> <p>6 time?</p> <p>7 A. No.</p> <p>8 Q. All right. Did you ever fill out an</p> <p>9 application or give them any information about Jami</p> <p>10 during that application period?</p> <p>11 A. They had the -- I gave them the information.</p> <p>12 That's how they ran her credit.</p> <p>13 Q. Okay. Did you ever fill out an application</p> <p>14 with Jami's credit on it?</p> <p>15 A. Say that again?</p> <p>16 Q. Did you ever fill out an application with</p> <p>17 Jami's information on it?</p> <p>18 A. Pretty sure I think I wrote it down when</p> <p>19 they -- when I -- when I was doing the thing. I'm not</p> <p>20 too sure. I don't really remember.</p> <p>21 Q. Okay. So you think you would have done it in</p> <p>22 person as opposed to submitting it online?</p> <p>23 A. Say that again?</p> <p>24 Q. So we have somewhere in the stack of exhibits</p> <p>25 here, I forget which one it is, there's a -- there's</p>
<p style="text-align: right;">Page 86</p> <p>1 E. Laforest</p> <p>2 when I got to the dealership.</p> <p>3 Q. Okay. So after you decided that you needed a</p> <p>4 co-applicant, you had already talked to Jami?</p> <p>5 A. Yeah.</p> <p>6 Q. And she had already agreed to it?</p> <p>7 A. Yeah.</p> <p>8 Q. Okay. And did she -- is that when she sent</p> <p>9 you her driver's license and Social Security number?</p> <p>10 A. Yeah.</p> <p>11 Q. And was that in the text message that was</p> <p>12 previously marked as Plaintiff's Exhibit 16?</p> <p>13 A. No. This is --- this is way after.</p> <p>14 Q. This is way after. This is -- this is marked</p> <p>15 September 25th, 2020. All right. So --</p> <p>16 A. Yeah.</p> <p>17 Q. All right. We'll get back to that. So going</p> <p>18 back -- going back to the day on 5-30 when you were</p> <p>19 there in person. You were there in person, you told</p> <p>20 the guy you wanted to finance a vehicle in your name</p> <p>21 and Jami's name. And did they tell you they couldn't</p> <p>22 do that because of her credit, because of your credit,</p> <p>23 something else?</p> <p>24 A. They said because of her credit.</p> <p>25 Q. Because of your credit?</p>	<p style="text-align: right;">Page 88</p> <p>1 E. Laforest</p> <p>2 some information that was submitted on a credit</p> <p>3 application that you said was through the -- the</p> <p>4 website that they provided you a link for; is that</p> <p>5 right?</p> <p>6 A. Yeah.</p> <p>7 Q. Okay. Did you ever submit any of Jami's</p> <p>8 information through that website?</p> <p>9 A. It's possible. I'm not -- I don't remember.</p> <p>10 Q. Okay. Prior to visiting the car dealership on</p> <p>11 May 30th, did you ever speak with Farah Francois about</p> <p>12 co-signing or co-applicant -- co-application for a</p> <p>13 loan?</p> <p>14 A. You said before?</p> <p>15 Q. Before.</p> <p>16 A. No. I told you no.</p> <p>17 Q. All right. And could you just remind me, what</p> <p>18 is your relationship with Ms. Francois?</p> <p>19 A. She's a friend of the family's.</p> <p>20 Q. All right. But no relation?</p> <p>21 A. What do you mean, like she's my aunt or</p> <p>22 something?</p> <p>23 Q. Well, it's my understanding that she was at</p> <p>24 one point married to your brother; is that correct or</p> <p>25 incorrect?</p>

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<p>1 E. Laforest</p> <p>2 A. Who told you that?</p> <p>3 Q. The plaintiff.</p> <p>4 A. Oh, I -- I never -- I don't know nothing</p> <p>5 anything about that.</p> <p>6 Q. Okay. So she -- as far as you're aware, she</p> <p>7 was never married --</p> <p>8 A. I don't know nothing about that.</p> <p>9 Q. All right. Do you have a brother?</p> <p>10 A. Yeah.</p> <p>11 Q. What's your brother's name?</p> <p>12 A. Stanley [phonetic].</p> <p>13 Q. Stanley. Is that Stanley Laforest?</p> <p>14 A. Yeah.</p> <p>15 Q. All right. And where does he live?</p> <p>16 A. He lives with his girlfriend now. I'm not too</p> <p>17 sure where they stay.</p> <p>18 Q. Where did he live --</p> <p>19 A. Somewhere on Ocean.</p> <p>20 Q. Okay. But where did he live at the -- at the</p> <p>21 time that this was all happening back in 2020?</p> <p>22 A. 2914 Farragut.</p> <p>23 Q. Same address as you?</p> <p>24 A. Yeah.</p> <p>25 Q. Who else lived there at the time?</p>	<p>1 E. Laforest</p> <p>2 Q. Do you know what the reason for that was?</p> <p>3 A. Nope.</p> <p>4 Q. Do you know if she had permission from Stanley</p> <p>5 to do that?</p> <p>6 A. I'm not too sure.</p> <p>7 Q. Do you know if she have permission from your</p> <p>8 parents to do that?</p> <p>9 A. I'm not sure.</p> <p>10 Q. All right. So you said she's a family friend.</p> <p>11 Was she -- was she your friend, was she Stanley's</p> <p>12 friend, your parents' friend, something else?</p> <p>13 A. She was staying with my mother -- my parents</p> <p>14 and I think she knew my grandmother. I'm not too sure.</p> <p>15 Q. Okay. How long has she had been a part of</p> <p>16 your -- your family circle like that?</p> <p>17 A. For a while.</p> <p>18 Q. But you -- did I hear earlier around 2017</p> <p>19 maybe, or earlier than that, or after that?</p> <p>20 A. It could be earlier. It was a while ago.</p> <p>21 Q. Okay. Do you know how she came to be -- be a</p> <p>22 part of that?</p> <p>23 A. I think they -- they was dating, her and</p> <p>24 Stanley.</p> <p>25 Q. Her and Stanley were dating. Do you know when</p>
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<p>1 E. Laforest</p> <p>2 A. My mother and father.</p> <p>3 Q. Is that your mother and father's home?</p> <p>4 A. Yeah. No, that's my grandmother's.</p> <p>5 Q. Okay.</p> <p>6 A. But it's a -- it's a family house.</p> <p>7 Q. Okay. Is that where you grew up?</p> <p>8 A. Yeah.</p> <p>9 Q. Is that where Stanley grew up?</p> <p>10 A. Yeah.</p> <p>11 Q. All right. How old is Stanley? Is he older</p> <p>12 or younger than you?</p> <p>13 A. He's older.</p> <p>14 Q. All right. How old is he?</p> <p>15 A. I think he is about 36, 37 now.</p> <p>16 Q. Okay. As far - as far as you're aware, he was</p> <p>17 never married to Farah Francois?</p> <p>18 A. As far as I was -- as far as I'm aware.</p> <p>19 Q. Would -- would that be something you would</p> <p>20 expect to be aware of if your brother got married?</p> <p>21 A. I would have known.</p> <p>22 Q. Okay. Did -- you said -- you said</p> <p>23 Ms. Francois received mail at your Farragut home</p> <p>24 address; is that correct?</p> <p>25 A. Yeah.</p>	<p>1 E. Laforest</p> <p>2 that was?</p> <p>3 A. No, I'm not too sure.</p> <p>4 Q. Okay. And sorry if I asked this. Did she</p> <p>5 ever -- she ever reside at that address for any period</p> <p>6 of time?</p> <p>7 A. Like stayed there?</p> <p>8 Q. Yeah.</p> <p>9 A. I mean, I wasn't always there all the time, so</p> <p>10 I'm not too sure if she ever was there for a period of</p> <p>11 time or not.</p> <p>12 Q. Okay. During any of the times that you were</p> <p>13 staying there --</p> <p>14 A. Did I ever -- I'd see her, but she'd come and</p> <p>15 go.</p> <p>16 Q. Okay. Would she -- would she spend the night?</p> <p>17 A. I wouldn't know.</p> <p>18 Q. Did you ever observe her to be there, like,</p> <p>19 early in the morning or late in the evening?</p> <p>20 A. Yeah. Probably like in -- late in the</p> <p>21 evening.</p> <p>22 Q. Okay.</p> <p>23 A. Coming and going.</p> <p>24 Q. But you're not sure if she ever stayed the</p> <p>25 night?</p>

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<p style="text-align: right;">Page 93</p> <p>1 E. Laforest</p> <p>2 A. No.</p> <p>3 Q. Would that be something that your parents</p> <p>4 would permit?</p> <p>5 A. I think they wouldn't really mind.</p> <p>6 Q. Okay. Now you said on the day of 5-30-2020,</p> <p>7 when you were in the dealership, you had Ms. Francois's</p> <p>8 driver's license on you; is that correct?</p> <p>9 A. Correct.</p> <p>10 Q. Was that in your wallet?</p> <p>11 A. Yeah.</p> <p>12 Q. All right. And how did you obtain her</p> <p>13 driver's license?</p> <p>14 A. It was given to me. Well, sometimes, like,</p> <p>15 they leave them out, outside or whatever, and they'll</p> <p>16 pick it up. But it was, like, near the doorway and I</p> <p>17 found it there. First, I didn't know who it was for</p> <p>18 but then I just recognized the name and I'm -- I've</p> <p>19 realized that this -- she gets mail there all the time.</p> <p>20 Q. Sorry. So you received her driver's license</p> <p>21 in the mail?</p> <p>22 A. No. It was on the floor in the house.</p> <p>23 Q. You found it on the floor at your Farragut --</p> <p>24 A. Yeah.</p> <p>25 Q. Okay. So before you said someone gave it you.</p>	<p style="text-align: right;">Page 95</p> <p>1 E. Laforest</p> <p>2 A. I don't know.</p> <p>3 Q. All right. So I'm just going to ask you -- it</p> <p>4 can't be the case that someone gave it to you and asked</p> <p>5 you to give the ID to Farah and that you found it on</p> <p>6 the floor months before you went and bought the car.</p> <p>7 So which one is true and which one is a lie?</p> <p>8 A. I found it.</p> <p>9 Q. You found it. Okay. You found it some six</p> <p>10 months before. Did you ever tell Farah that you found</p> <p>11 her ID?</p> <p>12 A. I didn't have her number at the time.</p> <p>13 Q. Okay. Did you ever tell Stanley you found</p> <p>14 Farah's ID?</p> <p>15 A. No, I told my father.</p> <p>16 Q. Okay. And what did he said to you?</p> <p>17 A. He said he was going to call her when she come</p> <p>18 pick up her mail.</p> <p>19 Q. All right. And that was some -- that was back</p> <p>20 in 2019?</p> <p>21 A. Yeah. Like around, like, the end of the 2019.</p> <p>22 Q. All right. And did you do anything else to</p> <p>23 try and get it back to her between 2019 when you found</p> <p>24 it and --</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 94</p> <p>1 E. Laforest</p> <p>2 So did someone give it to you or did you find it on the</p> <p>3 floor?</p> <p>4 A. I found it on floor.</p> <p>5 Q. Okay. And when did you find it on the floor?</p> <p>6 A. For -- it had to be a while. Way before I</p> <p>7 even thought about getting a car.</p> <p>8 Q. So would that -- that have been in May of</p> <p>9 2020, April, something else?</p> <p>10 A. No. Probably, like, I'll say 2019.</p> <p>11 Q. Okay. So at least five or six months prior</p> <p>12 to --</p> <p>13 A. Yeah. It was a while ago.</p> <p>14 Q. Okay. So when you testified earlier that</p> <p>15 someone gave it to you and told you to bring it to her,</p> <p>16 was that not true?</p> <p>17 A. I was going to bring it to her regardless.</p> <p>18 Q. But when you said -- so correct me if I'm</p> <p>19 wrong. My understanding from my notes is that you --</p> <p>20 you told Emma earlier that someone gave it to you to</p> <p>21 give to her and you didn't want to tell Emma who it was</p> <p>22 that a given it to you. You said you'd rather not say.</p> <p>23 Do you remember saying that?</p> <p>24 A. Yeah, I remember saying that.</p> <p>25 Q. All right. Why did you say that?</p>	<p style="text-align: right;">Page 96</p> <p>1 E. Laforest</p> <p>2 Q. -- when he said -- sorry. Let me finish my</p> <p>3 question, if you don't mind. Between finding it in</p> <p>4 2019 and going to the dealership in May of 2020, did</p> <p>5 you do anything else, other than speak to your father</p> <p>6 about it, in order to get it back to her?</p> <p>7 A. No. Once my father told me that he was going</p> <p>8 to call her, I just left it at -- I left it at that.</p> <p>9 Q. All right. Were you residing at the Farragut</p> <p>10 address during that period of time?</p> <p>11 A. Yes.</p> <p>12 Q. All right. Did you see Farah at any point</p> <p>13 during that time?</p> <p>14 A. No.</p> <p>15 Q. All right. Do you know whether she and</p> <p>16 Stanley were dating during that time you had her ID?</p> <p>17 A. (No verbal response.)</p> <p>18 Q. All right. You said you do not know why she</p> <p>19 continued to receive mail at that address?</p> <p>20 A. No.</p> <p>21 Q. Do you know where she was living at the time?</p> <p>22 A. No.</p> <p>23 MR. SELVEY: It's nice and warm in here.</p> <p>24 MS. CATERINE: It's at 69.</p> <p>25 MR. KESHAVARZ: It's at 61 now.</p>

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<p style="text-align: right;">Page 97</p> <p>1 E. Laforest</p> <p>2 MS. CATHERINE: It does that every time we're</p> <p>3 doing a deposition here in the summer.</p> <p>4 BY MR. SELVEY:</p> <p>5 Q. All right. I'm going to refer you back to</p> <p>6 what was previously marked as Plaintiff's Exhibit 6.</p> <p>7 If you could find that in the stack there. It's a</p> <p>8 single page that says "Victory Credit Application,"</p> <p>9 looking at the applicant and co-applicant fields --</p> <p>10 columns.</p> <p>11 A. Yeah.</p> <p>12 Q. All right. So you said -- did you say that</p> <p>13 this was all filled out in your handwriting?</p> <p>14 A. Yes, except for the signature.</p> <p>15 Q. Except for the signature. Except for the</p> <p>16 co-applicant signature at the bottom?</p> <p>17 A. Yeah.</p> <p>18 Q. Everything else was your handwriting?</p> <p>19 A. Correct.</p> <p>20 Q. All right. Do you see underneath the name in</p> <p>21 the co-applicant field there's a Social Security</p> <p>22 number? Do you see that there?</p> <p>23 A. Where?</p> <p>24 Q. It's on the right-hand side, under the name</p> <p>25 Farah Jean Francois. The line below that there.</p>	<p style="text-align: right;">Page 99</p> <p>1 E. Laforest</p> <p>2 to get her Social Security number?</p> <p>3 A. No.</p> <p>4 Q. Was it someone that you knew previously or was</p> <p>5 it someone that you found after seeking them out</p> <p>6 specifically for the purpose of getting Ms. Francois's</p> <p>7 Social Security number?</p> <p>8 A. It was just somebody that people usually use.</p> <p>9 My man gave me his number and he just did it for me.</p> <p>10 Q. So how did you communicate with this person?</p> <p>11 A. Through Telegram.</p> <p>12 Q. Telegram. That's an app?</p> <p>13 A. Yeah.</p> <p>14 Q. All right. And was that on your old phone?</p> <p>15 A. Yeah. But that account is old right now.</p> <p>16 Q. All right. Do you still have access to that</p> <p>17 account?</p> <p>18 A. I got to see if I login to see.</p> <p>19 Q. Okay. I'm going to ask that you -- that you</p> <p>20 preserve that and -- and if you are able to, to please</p> <p>21 provide those messages to -- to me and to Ms. Catherine.</p> <p>22 Why did you have that person look up</p> <p>23 Ms. Francois's Social Security number before you went</p> <p>24 to dealership that day?</p> <p>25 A. Because I wanted to see if she was going to</p>
<p style="text-align: right;">Page 98</p> <p>1 E. Laforest</p> <p>2 A. Yeah, I see it.</p> <p>3 Q. All right. There's a Social Security number</p> <p>4 in that field, correct?</p> <p>5 A. Yeah.</p> <p>6 Q. How did you know Ms. Francois's Social</p> <p>7 Security number?</p> <p>8 A. I made somebody look for it for me.</p> <p>9 Q. You made somebody look for it for you?</p> <p>10 A. Yeah.</p> <p>11 Q. Who did you make look for it for you?</p> <p>12 A. I don't know them personally.</p> <p>13 Q. When did you do that?</p> <p>14 A. The day I was about to go get the vehicle.</p> <p>15 Q. So on May 30th, 2020 --</p> <p>16 A. Yeah.</p> <p>17 Q. -- you had someone find her Social Security</p> <p>18 number?</p> <p>19 A. Yeah.</p> <p>20 Q. Was that someone -- you don't remember who it</p> <p>21 was?</p> <p>22 A. No. It's anonymous. I don't know the person.</p> <p>23 Q. Someone online?</p> <p>24 A. Yeah.</p> <p>25 Q. All right. Did you -- did you pay that person</p>	<p style="text-align: right;">Page 100</p> <p>1 E. Laforest</p> <p>2 get approved.</p> <p>3 Q. Okay. So when you went to the dealership that</p> <p>4 day, you were already planning on using Ms. Francois's</p> <p>5 information?</p> <p>6 A. No. I was planning on using Jami's</p> <p>7 information.</p> <p>8 Q. Okay. Then why did you have someone look up</p> <p>9 Ms. Francois's Social Security number so you could put</p> <p>10 it on the credit application?</p> <p>11 A. Because I was -- I wanted to see, but I was</p> <p>12 hesitant at first. I wasn't even going to go through</p> <p>13 with it.</p> <p>14 Q. Okay. But you planned, just in case you</p> <p>15 needed to, to have that information so that you could</p> <p>16 use that information for that card -- for the credit</p> <p>17 application?</p> <p>18 A. Yeah, but I was going to ask her, as well.</p> <p>19 Q. All right. But so if Jami -- if Jami had</p> <p>20 worked out, you wouldn't have needed to use her credit</p> <p>21 information?</p> <p>22 A. No, not at all.</p> <p>23 Q. All right. But you -- you knew that there was</p> <p>24 a possibility that Jami's information wouldn't qualify</p> <p>25 you for a loan; is that right?</p>

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<p style="text-align: right;">Page 101</p> <p>1 E. Laforest</p> <p>2 A. No, I wasn't too sure.</p> <p>3 Q. Wasn't too sure. So you -- as a back up, you</p> <p>4 prepared to have the information for Ms. Francois</p> <p>5 available in case you needed to use her name to get</p> <p>6 this loan; is that right?</p> <p>7 A. I wouldn't say that.</p> <p>8 Q. Okay. Then why did you get the Social</p> <p>9 Security number at the time?</p> <p>10 A. I wasn't really thinking back then.</p> <p>11 Q. Did you go -- did you have other people's</p> <p>12 Social Security numbers at that time?</p> <p>13 A. No.</p> <p>14 Q. Is it your -- was it your common practice to</p> <p>15 just get the Social Security numbers of any other</p> <p>16 person that you knew?</p> <p>17 A. No.</p> <p>18 Q. Was it specifically for the purpose of making</p> <p>19 this credit application ahead of time that you got that</p> <p>20 Social Security number from someone, that you knew a</p> <p>21 guy, who knew a guy about?</p> <p>22 A. No, not really.</p> <p>23 Q. So the reason I'm asking about all of this is</p> <p>24 because earlier you testified that you went in there to</p> <p>25 make the application in your and Jami's name, and that</p>	<p style="text-align: right;">Page 103</p> <p>1 E. Laforest</p> <p>2 Mitsubishi saw her ID and then suggested, oh hey, do</p> <p>3 you know that person? Let's put her on the credit</p> <p>4 application as a co-applicant. Is that a fair and</p> <p>5 accurate recollection of your testimony?</p> <p>6 A. Yeah.</p> <p>7 MS. CATERINE: Objection to the form.</p> <p>8 BY MR. SELVEY:</p> <p>9 Q. Okay. So you're telling me that, even though</p> <p>10 you had previously asked someone to find Ms. Francois's</p> <p>11 Social Security number for you in case you needed to</p> <p>12 use it as a credit application on a -- as a</p> <p>13 co-applicant, that it was not your idea to put her name</p> <p>14 down on that co-applicant field; is that correct?</p> <p>15 A. Yeah. It wasn't -- I was -- I was a little</p> <p>16 hesitant on using her. I -- I wanted to ask her first.</p> <p>17 But once he told me it went through, I just said, all</p> <p>18 right, just go -- just go on with it.</p> <p>19 Q. All right. Why didn't you ask Ms. Francois if</p> <p>20 you could use her name as a co-applicant before you</p> <p>21 went to dealership?</p> <p>22 A. I thought she would have been okay with.</p> <p>23 Q. Why didn't you ask her? You said you didn't</p> <p>24 want to do it unless you asked her. So I'm asking you,</p> <p>25 why didn't you ask her before you went?</p>
<p style="text-align: right;">Page 102</p> <p>1 E. Laforest</p> <p>2 the person you were dealing with just happened to see</p> <p>3 Ms. Francois's ID and suggested that you -- instead of</p> <p>4 applying under your name and Jami's name, that you try</p> <p>5 applying under Ms. Francois's name. Is that about what</p> <p>6 you testified to earlier?</p> <p>7 A. No, he said --</p> <p>8 MS. CATERINE: Objection to form.</p> <p>9 THE WITNESS: He said as a -- he said, use her</p> <p>10 as a co-applicant.</p> <p>11 BY MR. SELVEY:</p> <p>12 Q. Okay. But -- but he -- so your -- your</p> <p>13 testimony is that you did not suggest Ms. Francois, but</p> <p>14 that the person you were dealing with saw the ID while</p> <p>15 you --</p> <p>16 A. He asked me do I have anyone else --</p> <p>17 MS. CATERINE: Objection to form.</p> <p>18 BY MR. SELVEY:</p> <p>19 Q. Can you please let me finish the question? We</p> <p>20 can't get the answer out if I don't get the question,</p> <p>21 all right? So correct me if I'm mistaken. I</p> <p>22 understood your testimony before to be that you pulled</p> <p>23 the -- your -- you pulled your ID and Ms. Francois's ID</p> <p>24 out of your pocket at some point during the</p> <p>25 interaction. The person you were interacting with at</p>	<p style="text-align: right;">Page 104</p> <p>1 E. Laforest</p> <p>2 A. When she got approved, I was just -- I was --</p> <p>3 I got happy.</p> <p>4 Q. That's not -- that's not an answer to my</p> <p>5 question, though. Do you understand the question I'm</p> <p>6 asking?</p> <p>7 A. You said why didn't I ask her.</p> <p>8 Q. Why didn't you ask her, if you were -- if you</p> <p>9 were expecting to maybe use her as a co-applicant for a</p> <p>10 vehicle loan, why didn't you call her before you went</p> <p>11 to dealership that day?</p> <p>12 A. Because I wasn't using her. I told you I was</p> <p>13 using Jami Singer.</p> <p>14 Q. But you thought you might have to use her,</p> <p>15 correct?</p> <p>16 A. Yeah, that was a thought.</p> <p>17 Q. Okay. So why didn't you just call her just in</p> <p>18 case -- in case Jami didn't work out?</p> <p>19 A. Honestly, everything was so fast. I didn't</p> <p>20 have a chance to because once she didn't work out, he</p> <p>21 was like, why don't I try to use her. I'm like, give</p> <p>22 it a shot. Once he got -- once I got approved, he was</p> <p>23 like -- I told him to hold on. But he was like, oh,</p> <p>24 no, you might as well just get it right now and get it</p> <p>25 done and over and just, you know, speak to that lady --</p>

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<p style="text-align: right;">Page 105</p> <p>1 E. Laforest</p> <p>2 speak to that person later. She's a family friend.</p> <p>3 She'll understand. And I said -- I just ran with that.</p> <p>4 I said okay.</p> <p>5 Q. Well, how did -- how did he know who</p> <p>6 Ms. Francois was?</p> <p>7 A. Because they asked me who that was.</p> <p>8 Q. Okay. And you -- and what did you tell them?</p> <p>9 A. I told them a friend of the family.</p> <p>10 Q. Okay. Did he -- did he ask you why you had</p> <p>11 her ID?</p> <p>12 A. No.</p> <p>13 Q. Did you tell him why you had her ID?</p> <p>14 A. I was never asked so I just didn't say</p> <p>15 anything.</p> <p>16 Q. And you're sure that Jami didn't go you -- go</p> <p>17 with you to the car dealership that time?</p> <p>18 A. I'm pretty sure.</p> <p>19 Q. So if I talk to her on the phone, she's going</p> <p>20 to say no, I didn't go Victory Mitsubishi with --</p> <p>21 A. I'm pretty sure -- I'm pretty sure.</p> <p>22 Q. Okay. Have you talked to her about this case?</p> <p>23 A. I mean, she you knows I got arrested, but we</p> <p>24 never really spoke on this.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 107</p> <p>1 E. Laforest</p> <p>2 A. Huh?</p> <p>3 Q. Were you done with your answer?</p> <p>4 A. Yeah, the car was already returned ever since</p> <p>5 September --</p> <p>6 Q. Okay.</p> <p>7 A. -- of 2020.</p> <p>8 Q. Sure. Are you still in a relationship with</p> <p>9 Ms. Singer, or are you just friends, or something else?</p> <p>10 A. We're friends.</p> <p>11 Q. Okay. And so you said they -- they told you</p> <p>12 that your co-application with Ms. Singer wouldn't work</p> <p>13 because of -- sorry, did you say your credit or her</p> <p>14 credit?</p> <p>15 A. They said it was -- they said it was her</p> <p>16 credit.</p> <p>17 Q. Her credit. Okay. So your credit was okay,</p> <p>18 but not enough enough.</p> <p>19 A. Not enough, yeah.</p> <p>20 Q. Okay. And her credit was bad or just not</p> <p>21 enough to help you?</p> <p>22 A. I'm not too sure.</p> <p>23 Q. Okay. And was that -- that was even with</p> <p>24 the -- the 8,600 down?</p> <p>25 A. Yeah.</p>
<p style="text-align: right;">Page 106</p> <p>1 E. Laforest</p> <p>2 A. Because once she didn't work out, there was</p> <p>3 nothing else to talk about.</p> <p>4 Q. Going back to -- to when you were arrested,</p> <p>5 just want to get, again, an accurate timeline for that.</p> <p>6 So we're referring -- I guess this is -- this is</p> <p>7 Plaintiff's Exhibit 17. So this arrest summary here</p> <p>8 says incident date June 29, 2020. Is that accurate?</p> <p>9 A. Are you asking if that's when she made the</p> <p>10 police report?</p> <p>11 Q. I'm asking you if this incident date June</p> <p>12 29 --</p> <p>13 A. I didn't get arrested on June 29th, so I'm not</p> <p>14 too sure.</p> <p>15 Q. Okay. And you were arrested on January 11th,</p> <p>16 2021; is that correct?</p> <p>17 A. Correct.</p> <p>18 Q. Okay. And at that point -- at that point you</p> <p>19 already returned the vehicle and you'd already spoken</p> <p>20 with Ms. Francois about everything you thought was</p> <p>21 all -- all sealed up?</p> <p>22 MS. CATHERINE: Objection to form.</p> <p>23 THE WITNESS: All right.</p> <p>24 BY MR. SELVEY:</p> <p>25 Q. I'm sorry. Were you done with your answer?</p>	<p style="text-align: right;">Page 108</p> <p>1 E. Laforest</p> <p>2 Q. You said you got the 8,600 from saving; is</p> <p>3 that correct?</p> <p>4 A. Correct.</p> <p>5 Q. How long did it take you to save up that</p> <p>6 deposit?</p> <p>7 A. Probably about five, six months.</p> <p>8 Q. All right. And do you -- do you pay rent</p> <p>9 living at your parents or are you basically --</p> <p>10 A. Yeah, now I pay rent because my -- both my</p> <p>11 parents just passed away so --</p> <p>12 Q. Okay. So -- but at the time, were you paying</p> <p>13 rent?</p> <p>14 A. Yeah.</p> <p>15 MR. KESHAVARZ: I'm sorry about your parents,</p> <p>16 though.</p> <p>17 MR. SELVEY: Oh, yes. Sorry -- sorry about</p> <p>18 that.</p> <p>19 MR. KESHAVARZ: We're sorry about their</p> <p>20 passing.</p> <p>21 THE WITNESS: Oh, thank you.</p> <p>22 BY MR. SELVEY:</p> <p>23 Q. Sorry. Did you say you were paying rent back</p> <p>24 then?</p> <p>25 A. Yeah.</p>

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<p style="text-align: right;">Page 109</p> <p>1 E. Laforest</p> <p>2 Q. And how much were you paying back then?</p> <p>3 A. Like, I was giving to my mom about, like,</p> <p>4 what, 400 per month. Yeah.</p> <p>5 Q. Okay. And so -- so sorry, how long did you</p> <p>6 say it took you to save up that -- that 8,600?</p> <p>7 A. Like about -- like five, six months.</p> <p>8 Q. All right. And during that time, was -- was</p> <p>9 it your intention that you were saving up for the</p> <p>10 deposit on a car?</p> <p>11 A. At first I was just saving. I was just</p> <p>12 saving. Then I was like, I'm going to just get a car</p> <p>13 with it.</p> <p>14 Q. Okay. And when did you decide you -- you</p> <p>15 wanted to get a car, about?</p> <p>16 A. Oh, because I was also doing this construction</p> <p>17 job in Jersey. And, like, the -- I needed it for the</p> <p>18 transportation.</p> <p>19 Q. All right. And -- and when -- what -- about</p> <p>20 when was that, if you recall?</p> <p>21 A. I was working there ever since about 2018.</p> <p>22 Q. Okay. So you -- you were planning on -- wait,</p> <p>23 sorry. You were working in -- on a -- on a</p> <p>24 construction job in New Jersey in 2018 and that's when</p> <p>25 you decided you wanted a car?</p>	<p style="text-align: right;">Page 111</p> <p>1 E. Laforest</p> <p>2 today?</p> <p>3 A. No. It was returned.</p> <p>4 Q. All right. When did you return it to her?</p> <p>5 A. A couple of weeks after I got the car.</p> <p>6 Q. All right. So that would be in June of 2020?</p> <p>7 A. Yeah. Like around June. Maybe June,</p> <p>8 beginning of July. It was around there.</p> <p>9 Q. Okay. Had you spoken with Farah about</p> <p>10 returning her ID at that point, or did you happen to</p> <p>11 run into her, or something else?</p> <p>12 A. No. We had a -- we had a long conversation.</p> <p>13 We spoke about the car. We spoke about everything.</p> <p>14 And then she said she was going to come pick up her ID</p> <p>15 and the rest of her mail, she said. And she just came</p> <p>16 and got it --</p> <p>17 Q. All right.</p> <p>18 A. -- the next day.</p> <p>19 Q. So you -- so you had a conversation with her.</p> <p>20 This was a couple of weeks - this was some time in June</p> <p>21 end -- end of June, beginning of July you spoke with</p> <p>22 her?</p> <p>23 A. Yeah.</p> <p>24 Q. And she called you?</p> <p>25 A. Yeah. No, she called my father and then my</p>
<p style="text-align: right;">Page 110</p> <p>1 E. Laforest</p> <p>2 A. No, I already had car. I had like a -- like a</p> <p>3 little bullshit car.</p> <p>4 Q. Sorry, so when did you decide that you wanted</p> <p>5 to use the money you'd saved up to buy a car?</p> <p>6 A. When the money was saved up.</p> <p>7 Q. Okay. But I'm just trying to figure out how</p> <p>8 is that related to the -- to the job in New Jersey?</p> <p>9 A. Oh, just for me to commute. Like for me to go</p> <p>10 back-and-forth.</p> <p>11 Q. Okay. So --</p> <p>12 A. I live in Brooklyn. I had to go to Jersey.</p> <p>13 Q. Right. You were -- but you were -- so you</p> <p>14 were still working that. It wasn't 2018. You were</p> <p>15 still working that job in 2020?</p> <p>16 A. I had two jobs.</p> <p>17 Q. Right. But one of them was the New Jersey</p> <p>18 job?</p> <p>19 A. Yeah.</p> <p>20 Q. Okay.</p> <p>21 A. That was construction.</p> <p>22 Q. Got it. When did you first speak to Farah</p> <p>23 about -- strike that.</p> <p>24 Did -- did there come a time where you</p> <p>25 returned Farah's ID to her or do you still have it</p>	<p style="text-align: right;">Page 112</p> <p>1 E. Laforest</p> <p>2 father gave her my number. Then yeah, we ended up</p> <p>3 having a conversation.</p> <p>4 Q. And did -- and did she tell you -- what was</p> <p>5 the first thing she said to you when she called?</p> <p>6 A. She just wanted to know why I didn't ask her.</p> <p>7 And then I told her what happened. And then she wanted</p> <p>8 to know, like, why would the dealership allow that.</p> <p>9 And I was just telling her I don't know, but I'm going</p> <p>10 to finish paying for it in December. And then she said</p> <p>11 she was okay with it.</p> <p>12 Q. Did she tell you how she came to learn that</p> <p>13 you had taken out a loan in her name?</p> <p>14 A. No. We never spoke on that.</p> <p>15 Q. All right. Do you know if she told -- told</p> <p>16 your dad?</p> <p>17 A. I'm not too sure.</p> <p>18 Q. And you're sure that this conversation took</p> <p>19 place in June or at the latest in July of 2020; is that</p> <p>20 correct?</p> <p>21 MR. KESHAVARZ: Objection. Form.</p> <p>22 MR. SELVEY: Objection to preserve.</p> <p>23 THE WITNESS: I'm not too sure. I know we</p> <p>24 spoke -- that we spoke weeks later.</p> <p>25 BY MR. SELVEY:</p>

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<p style="text-align: right;">Page 113</p> <p>1 E. Laforest</p> <p>2 Q. Weeks, not months?</p> <p>3 A. Weeks, months, I can't really -- I can't</p> <p>4 pinpoint it. It was so long ago, but I know we spoke.</p> <p>5 Q. Okay. Do you remember what the weather was</p> <p>6 like when she came by to get her mail and the ID?</p> <p>7 A. It was late. She usually would come, like,</p> <p>8 late night.</p> <p>9 Q. Okay. Was it still warm or -- or was it</p> <p>10 getting cooler?</p> <p>11 A. No, it was still warm.</p> <p>12 Q. Okay.</p> <p>13 A. Because she had her ID before I returned the</p> <p>14 car.</p> <p>15 Q. All right. And you had returned the car in --</p> <p>16 A. In September.</p> <p>17 Q. September 25th?</p> <p>18 A. Yes.</p> <p>19 Q. All right. So you spoke with her. What else</p> <p>20 did you speak about on that -- when you spoke with her</p> <p>21 in that June, July conversation?</p> <p>22 A. We spoke about the car. Then she had told me</p> <p>23 something about someone was using her credit card or</p> <p>24 whatever, did I know anybody that would be around the</p> <p>25 house that's taking her mail. That's about it.</p>	<p style="text-align: right;">Page 115</p> <p>1 E. Laforest</p> <p>2 Q. All right. After -- after you spoke with her</p> <p>3 that first time, some weeks after you got the car, but</p> <p>4 before you returned the car, did you have any other</p> <p>5 conversations with Ms. Francois other than when you saw</p> <p>6 her to give her the ID?</p> <p>7 A. She did ask my brother if he wanted the car,</p> <p>8 but he said no. And then that was it.</p> <p>9 Q. So she asked -- she asked family if he</p> <p>10 wanted --</p> <p>11 A. If he wanted the car.</p> <p>12 Q. -- the car in her name?</p> <p>13 A. Yeah.</p> <p>14 Q. And when did she do that?</p> <p>15 A. That was -- that was the -- the day before I</p> <p>16 got -- well, that was the day -- that was the same day</p> <p>17 when I had to go return the car.</p> <p>18 Q. Okay. And --</p> <p>19 A. Around -- I think the day when she went to</p> <p>20 the -- the Victory Mitsubishi.</p> <p>21 Q. Do you know -- do you know why she asked your</p> <p>22 brother if he wanted the car at that point?</p> <p>23 A. I didn't care at that point. I just wanted to</p> <p>24 get rid of it. It was -- it was just too much.</p> <p>25 Q. What -- what was too much about it at that</p>
<p style="text-align: right;">Page 114</p> <p>1 E. Laforest</p> <p>2 What we really spoke about was when I was</p> <p>3 going to finish paying it, and the tickets, and then</p> <p>4 that was it. And I told her by December, it's going to</p> <p>5 be really paid in full. She said it was okay. And</p> <p>6 that was the last time we really spoke.</p> <p>7 Q. All right. Did you ever use Ms. Francois's</p> <p>8 personal information for any other purpose?</p> <p>9 A. No.</p> <p>10 Q. Did you ever open a credit card in her name?</p> <p>11 A. No.</p> <p>12 Q. Bank account?</p> <p>13 A. No.</p> <p>14 Q. Take out any other loans?</p> <p>15 A. Nope.</p> <p>16 Q. All right. Do you know if anybody else in the</p> <p>17 house did?</p> <p>18 A. I wouldn't be able to tell.</p> <p>19 Q. Has anyone ever accused you of doing that with</p> <p>20 Ms. Francois's information, whether it be Ms. Francois</p> <p>21 or someone else?</p> <p>22 A. No. She asked me, but I told her no. Then</p> <p>23 they said she was going to go to the cops. And I said</p> <p>24 go ahead, because I didn't use it. And then she said</p> <p>25 she found out what happened.</p>	<p style="text-align: right;">Page 116</p> <p>1 E. Laforest</p> <p>2 point?</p> <p>3 A. It just became headache. She told me one</p> <p>4 thing and then a different story. I was like, you know</p> <p>5 what, forget about it. And then my father who was the</p> <p>6 one who told me she was like, she just asked Stan if he</p> <p>7 wanted the car and he told her no.</p> <p>8 Q. Okay. So you -- you heard from your father</p> <p>9 that she had reached out to your brother to ask if he</p> <p>10 wanted your car?</p> <p>11 A. Yeah.</p> <p>12 Q. And at that point, did you have any reason to</p> <p>13 think that she was unhappy with the situation or did</p> <p>14 you still think that she was fine with the vehicle loan</p> <p>15 in her name?</p> <p>16 MR. KESHAVARZ: Objection. Form.</p> <p>17 THE WITNESS: I wouldn't be able to tell you.</p> <p>18 BY MR. SELVEY:</p> <p>19 Q. Okay. So you spoke with her end of June,</p> <p>20 beginning of July and she was okay with situation,</p> <p>21 correct?</p> <p>22 MR. KESHAVARZ: Objection. Form.</p> <p>23 MR. SELVEY: What's your objection?</p> <p>24 MR. KESHAVARZ: He said --</p> <p>25 MR. SELVEY: Objections are reserved, but like</p>

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<p>1 E. Laforest</p> <p>2 if you have a problem with the way I'm asking a</p> <p>3 question, I'm happy to rephrase it.</p> <p>4 MS. CATERINE: Don't. Don't.</p> <p>5 MR. SELVEY: I'm inviting it. You're welcome</p> <p>6 to.</p> <p>7 MS. CATERINE: All right.</p> <p>8 MR. KESHAVARZ: I think you said that he --</p> <p>9 correct me if I'm wrong. I mean, my understanding was</p> <p>10 that it was after the fact, she didn't know anything</p> <p>11 about it. And then she said that you said you'd pay</p> <p>12 off the car, right?</p> <p>13 THE WITNESS: That's correct.</p> <p>14 MR. KESHAVARZ: But it wasn't like she was</p> <p>15 like, oh, I'm glad that you took the car out in my</p> <p>16 name. She didn't say anything like that, did she?</p> <p>17 THE WITNESS: No.</p> <p>18 MR. KESHAVARZ: And she didn't say oh, it's --</p> <p>19 it's fine with me that you took out a loan in my name.</p> <p>20 She never said anything like that, did she?</p> <p>21 THE WITNESS: No.</p> <p>22 MR. KESHAVARZ: Is that a yes or no?</p> <p>23 THE WITNESS: No. She wasn't --</p> <p>24 MR. KESHAVARZ: Okay. But --</p> <p>25 THE WITNESS: -- she wasn't down until after a</p>	<p>1 E. Laforest</p> <p>2 came to the dealership, what happened. I was like, I</p> <p>3 spoke to her. He was like, yeah I spoke to her, too or</p> <p>4 whatever, and then she left.</p> <p>5 And then when I had to return the car, I think</p> <p>6 she went back there again. But this was -- she -- she</p> <p>7 went there again. But I don't know if she went with</p> <p>8 people or somebody. She went -- she -- he just said,</p> <p>9 she's over here with her people or whatever. And</p> <p>10 that's when he was like, I want to get rid of this</p> <p>11 headache. Just please return the car so I can reverse</p> <p>12 the transaction.</p> <p>13 MR. KESHAVARZ: Okay.</p> <p>14 THE WITNESS: And I told him okay.</p> <p>15 MR. KESHAVARZ: When you say she was fine with</p> <p>16 it, she just wanted to get the car in a different name,</p> <p>17 right?</p> <p>18 THE WITNESS: Yeah. That's basically --</p> <p>19 that's what it was. Either -- or pay it off under her</p> <p>20 name.</p> <p>21 MR. KESHAVARZ: All right. So that's what you</p> <p>22 meant by she was fine. She just wanted to get it out</p> <p>23 of her name.</p> <p>24 THE WITNESS: Yeah. But she said she's cool</p> <p>25 with it as long as I paid it off too, though. As long</p>
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<p>1 E. Laforest</p> <p>2 while. Like, after we spoke. She was -- after we</p> <p>3 spoke, she was okay with it.</p> <p>4 MR. KESHAVARZ: But by okay, meaning --</p> <p>5 THE WITNESS: In the beginning, no. She did</p> <p>6 not know. She didn't know what was going on until we</p> <p>7 finally spoke. And then she said she was okay with it.</p> <p>8 MR. KESHAVARZ: By okay with it, she said she</p> <p>9 was okay with it because you were going to pay off the</p> <p>10 car?</p> <p>11 THE WITNESS: Yeah. I was going to pay off</p> <p>12 the car.</p> <p>13 MR. KESHAVARZ: And you were going to pay off</p> <p>14 the -- and that was -- that was around -- after you</p> <p>15 returned the car, you -- you told her that you --</p> <p>16 THE WITNESS: No, this was before I returned</p> <p>17 the car.</p> <p>18 MR. KESHAVARZ: You spoke on the phone.</p> <p>19 THE WITNESS: We spoke. I had the car. I was</p> <p>20 driving the car for, like, months. And then once,</p> <p>21 like, around, I'm going to say like around -- because I</p> <p>22 think she went to to the dealership twice.</p> <p>23 MR. KESHAVARZ: Uh-huh.</p> <p>24 THE WITNESS: And then the first time she</p> <p>25 went, the guy had called me. He was, like, well, she</p>	<p>1 E. Laforest</p> <p>2 as it was paid off by December, she said it was -- it</p> <p>3 was going to be okay.</p> <p>4 MR. KESHAVARZ: And she said that to you, so</p> <p>5 we're talking about dates before --</p> <p>6 THE WITNESS: This was right after -- this was</p> <p>7 after I got the car. I'm in possession of the car now.</p> <p>8 We spoke. I still have the car. I never returned the</p> <p>9 car. I still had the car. I was driving it for a</p> <p>10 while. I was going back and forth from work, picking</p> <p>11 up my kids, bringing them back home. And then all --</p> <p>12 all of a sudden, the dealership calls me and I'm</p> <p>13 hearing she's at the dealership.</p> <p>14 MR. SELVEY: All right. I think we've -- I</p> <p>15 think we've clarified enough. I can continue.</p> <p>16 MR. KESHAVARZ: Well, no. If you have more</p> <p>17 follow-up questions, that's fine, but I don't think</p> <p>18 we're going to have an objection to form anymore. I</p> <p>19 think we've clarified the basis now.</p> <p>20 BY MR. SELVEY:</p> <p>21 Q. Thanks. So after that first conversation</p> <p>22 where she said she was cool with it under the</p> <p>23 understanding that you were going to pay the car off by</p> <p>24 December, did you speak with her again at any point</p> <p>25 before you returned the car in September?</p>

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<p>1 E. Laforest</p> <p>2 A. No.</p> <p>3 Q. Okay. So --</p> <p>4 A. I just thought everything was okay.</p> <p>5 Q. So you spent from approximately June, July,</p> <p>6 through September, believing that Farah was fine with</p> <p>7 the whole situation as it existed, and expected to pay</p> <p>8 off the car by December?</p> <p>9 MR. KESHAVARZ: Objection to the form of the</p> <p>10 question.</p> <p>11 BY MR. SELVEY:</p> <p>12 Q. Okay. You can answer.</p> <p>13 A. Yeah. She never called me. She didn't give</p> <p>14 me no reason why she had a problem with anything.</p> <p>15 Q. All right. Did you hear from anyone else</p> <p>16 other than Farah that she might have a problem during</p> <p>17 that time?</p> <p>18 A. No. Everybody that we -- she spoke to my</p> <p>19 mother, my father, me, my brother, and everything was</p> <p>20 okay.</p> <p>21 Q. Okay. So you interacted with her not about</p> <p>22 the car in that intervening period, is that what you're</p> <p>23 saying?</p> <p>24 A. No, that whole period when we had a -- when we</p> <p>25 was have -- when we was having a conversation,</p>	<p>1 E. Laforest</p> <p>2 A. That's when I still had the car. No. She</p> <p>3 asked my -- my brother if I wanted the car -- if I</p> <p>4 didn't want to -- she had asked my brother that around</p> <p>5 August. Because in September, that's when she went to</p> <p>6 Victory.</p> <p>7 Q. Was that the first time that she went to</p> <p>8 Victory?</p> <p>9 MR. KESHAVARZ: Objection. Form.</p> <p>10 BY MR. SELVEY:</p> <p>11 Q. As far as you know?</p> <p>12 A. As far as I know that was the first time she</p> <p>13 went to Victory -- down to Victory.</p> <p>14 Q. Okay. You said she went to Victory twice,</p> <p>15 though?</p> <p>16 A. Yeah. She went there the first time, I guess,</p> <p>17 to find out how was I able to do that. And then the</p> <p>18 second time, I guess, I don't know. I don't know if</p> <p>19 someone put that in her head, but the second time, she</p> <p>20 was a little bit more angry and that's when he called</p> <p>21 me telling me, like, to bring back the car.</p> <p>22 Q. Okay. Let's go back to the -- to the person</p> <p>23 you communicated with on Telegram. Had you ever used</p> <p>24 that person to acquire anybody else's Social Security</p> <p>25 other than Ms. Francois's?</p>
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<p>1 E. Laforest</p> <p>2 everybody was there. My -- my father was there, my</p> <p>3 mother was there, and my brother was there, when we was</p> <p>4 talking about it.</p> <p>5 Q. And this was -- this was the one you had weeks</p> <p>6 after the --</p> <p>7 A. Yeah, after our first call.</p> <p>8 Q. So this was an in-person conversation?</p> <p>9 A. No, she was on the phone.</p> <p>10 Q. But were -- so who -- who was -- when you say</p> <p>11 your -- that your family was there, what do you mean by</p> <p>12 that?</p> <p>13 A. My mother, father, my brother and me.</p> <p>14 Q. You were all -- were you on speaker phone?</p> <p>15 A. She was on the speaker phone. And that's when</p> <p>16 she said, it's not -- it's not a problem. It's okay.</p> <p>17 Just -- you feel me, just finish paying it by December.</p> <p>18 Everything is going to be all right. And I said okay.</p> <p>19 I haven't -- I ain't speak to her ever since then.</p> <p>20 Q. Okay.</p> <p>21 A. And then she ended up -- she would call my</p> <p>22 father every day and I guess that's when she asked him</p> <p>23 if -- asked my brother if he wanted the car.</p> <p>24 Q. Wait. So she asked your brother -- that</p> <p>25 was -- that was in September?</p>	<p>1 E. Laforest</p> <p>2 A. No, that was, like, my first time using him.</p> <p>3 Q. Was there any other time after that you used</p> <p>4 him?</p> <p>5 A. First time is the only time. First time, only</p> <p>6 time.</p> <p>7 Q. All right. Did he give you any other</p> <p>8 information about Ms. Francois or just her Social</p> <p>9 Security?</p> <p>10 A. No, that was just it.</p> <p>11 Q. Do you know how he found out her Social</p> <p>12 Security number?</p> <p>13 A. No. I didn't ask.</p> <p>14 Q. Okay. So you said -- you said that when you</p> <p>15 finally brought the car back at the end of September,</p> <p>16 that you did it because the whole thing was a headache;</p> <p>17 is that correct?</p> <p>18 A. That's what the guy at Victory Mitsubishi said</p> <p>19 to me.</p> <p>20 Q. Okay. Victory Mitsubishi said it was a</p> <p>21 headache. How did you feel about the situation at that</p> <p>22 point?</p> <p>23 A. I just wanted to get rid of the car. Just</p> <p>24 like, you know, forget it.</p> <p>25 Q. Why did you want to get rid of the car at that</p>

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<p style="text-align: right;">Page 125</p> <p>1 E. Laforest</p> <p>2 point?</p> <p>3 A. Because it was a hassle. She tells me one</p> <p>4 thing and does another. So I was like -- when the guy</p> <p>5 told me just bring back the car and let him just get</p> <p>6 rid of this headache and then he also told me he'll put</p> <p>7 me in another vehicle so I mean, I'm going to return</p> <p>8 the car.</p> <p>9 Q. And that's when you sent the text message with</p> <p>10 Jami's --</p> <p>11 A. Yeah. So he could run the -- our credit to</p> <p>12 see if he could, like, get me, like, a Honda or</p> <p>13 something.</p> <p>14 Q. Okay. Because her credit wasn't good enough</p> <p>15 for the BMW, but you thought it might be good enough</p> <p>16 for a cheaper car?</p> <p>17 A. That's what he told me. He was like --</p> <p>18 Q. Okay.</p> <p>19 A. -- he could put me in something different, but</p> <p>20 it's not going to be the same car.</p> <p>21 Q. And then when you did bring the car back,</p> <p>22 though, you didn't -- you didn't get another car; is</p> <p>23 that correct?</p> <p>24 A. No.</p> <p>25 Q. In fact, you dropped the vehicle off with the</p>	<p style="text-align: right;">Page 127</p> <p>1 E. Laforest</p> <p>2 Q. That's when you returned the car. So help me</p> <p>3 make sense of the timeline, how this happened. So you</p> <p>4 spoke with the person at Victory on September 25th for</p> <p>5 the first time?</p> <p>6 A. Correct. That's when he called me. No, it</p> <p>7 had to have to been, like, the second time he had</p> <p>8 called me. Because the first time he didn't tell me to</p> <p>9 return the car or nothing like that. He told me she</p> <p>10 came, she was asking questions, and she left.</p> <p>11 The second time when -- when he called me, I</p> <p>12 could -- I could hear it in her voice, she sounded like</p> <p>13 she was agitated. I don't know what was going on. And</p> <p>14 then he was like just bring - he's like just bring the</p> <p>15 car back so I can get rid of this headache and I'll</p> <p>16 reverse the transaction. And he told me he'll put me</p> <p>17 in something new for the fact that I had put all that</p> <p>18 money down on -- on the BMW.</p> <p>19 Q. Okay. So was that -- was that like September</p> <p>20 24th, September 23rd something else?</p> <p>21 A. It must have been September 25th, because I</p> <p>22 sent -- I sent the Jami -- her ID on September 25th.</p> <p>23 So I'm assuming that that time when he told me to bring</p> <p>24 back the car was September 25th.</p> <p>25 Q. Okay.</p>
<p style="text-align: right;">Page 126</p> <p>1 E. Laforest</p> <p>2 keys in it up the block; is that correct?</p> <p>3 A. On Hollers, yeah.</p> <p>4 Q. Why -- why would you drop the car off on the</p> <p>5 street instead of bring it back in different --</p> <p>6 A. Because the man I was speaking to told me to</p> <p>7 park it up right there. He said just park in any open</p> <p>8 parking. Just park it and just leave the keys in</p> <p>9 there.</p> <p>10 Q. All right. He didn't tell you to come back to</p> <p>11 the dealership and he'd hook you up with a Honda?</p> <p>12 A. No. He didn't tell me nothing like that.</p> <p>13 Q. I thought -- I thought he told you that he</p> <p>14 would put you in another car?</p> <p>15 A. That's what he said, right? But that's not</p> <p>16 what happened.</p> <p>17 Q. Okay. So I'm looking at Plaintiff's 16, the</p> <p>18 text messages. So I have September 25, 2020, at what</p> <p>19 looks like 4:10 p.m. to me when you sent a text message</p> <p>20 with Jami's ID and Social; is that right?</p> <p>21 A. Yeah.</p> <p>22 Q. Okay. And then the next message I see is</p> <p>23 September 26, 2020. I can't quite make out -- I think</p> <p>24 it's 12-something?</p> <p>25 A. Yeah. That's when I returned the car.</p>	<p style="text-align: right;">Page 128</p> <p>1 E. Laforest</p> <p>2 A. But I didn't return the car until the next</p> <p>3 day.</p> <p>4 Q. Right. Okay. So the first time you heard</p> <p>5 from -- from the guy at Victory was on the 25th?</p> <p>6 A. It had to be the 25th. No, not the first</p> <p>7 time. It had to have been the second time, because</p> <p>8 that's when he told me to return the car. The first</p> <p>9 time --</p> <p>10 Q. When was the first time?</p> <p>11 A. Had to have been maybe, like, two weeks</p> <p>12 before. I'm not too sure really.</p> <p>13 Q. Okay. So around September 10th, give or take?</p> <p>14 A. Could be.</p> <p>15 Q. Okay. And at that point was -- was Farah in</p> <p>16 the dealership as far as you're aware?</p> <p>17 A. She already had left.</p> <p>18 Q. She already --</p> <p>19 A. She did, but she'd been there.</p> <p>20 Q. Okay. And so he called you and said, hey, I</p> <p>21 need you to bring the car back, but we'll put you in a</p> <p>22 new car for your trouble with --</p> <p>23 A. That was the second time. That was the second</p> <p>24 time.</p> <p>25 Q. So what did he tell you the first time?</p>

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2 A. The first time he told me she came and she was

3 asking questions, then she left. And he asked me if I

4 spoke to her. I told him yeah, I spoke to her already.

5 I was a little confused. So but I didn't call her

6 then. I left after it alone. Maybe I felt she just

7 maybe wanted to know a little bit more information or

8 whatever. And then she -- when she went back there

9 again, that's when he called me.

10 Q. Okay. That's -- so the second time he called

11 you was September 25th?

12 A. Yeah.

13 Q. And that's when he said, hey, she's here

14 again. Why don't you just bring me the car back, this

15 is getting into a headache, we'll put you in a

16 different car?

17 A. Correct.

18 Q. All right. So you sent him the ID and then

19 the next day, when did you speak with him next?

20 A. When I brought the car back, the main person

21 that had called me, wasn't there.

22 Q. Okay.

23 A. It was somebody else that's -- that was on the

24 phone that said -- yeah, when I brought the car

25 somebody else was on the phone. He was like, just park

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2 it there. He was like he going to -- well, he was

3 going to call me back later. He's going to run this or

4 whatever. But he never called me.

5 And then on the 28th was when he was like --

6 well, he called me again. He was like, where is -- he

7 was looking for her. And I guess she's not going to --

8 I don't know if she ever went back to the Victory

9 Mitsubishi. I don't know. But he told me that he was

10 looking for her. But he was like, yeah, does she know

11 you brought the car back? And I was like, yeah, I told

12 my father to tell her. And after that I never heard

13 from nobody.

14 Q. All right. Did you ever reach out to Victory

15 Mitsubishi after you brought the car back on the 26th?

16 A. The only thing we spoke about was getting in

17 contact with Farah.

18 Q. And that was that text message where you sent

19 him the contact --

20 A. Yeah, I sent him her contact info.

21 Q. And that was on September 28th?

22 A. Yeah.

23 Q. So other than that, was that -- was that a

24 phone call?

25 A. No, I just -- he text -- he called -- I think

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2 he had called me. I'm not too sure. All I know is I

3 text him the contact and he said okay. And that was

4 it.

5 Q. All right. Because -- I ask because it's just

6 it's -- there's no -- there's no request text message,

7 so I'm just asking how he asked you to --

8 A. He must called me, yeah.

9 Q. Okay. And do you know if he said anything

10 else other than do you have her contact info?

11 A. No. That's all he asked for.

12 Q. Did he tell you he was trying to reach her?

13 A. Yeah, basically that's why I gave him --

14 that's why I gave him the contact number.

15 Q. All right. Did he tell you why he was trying

16 to reach her?

17 A. No. He didn't tell me.

18 Q. And after that, did you make any effort to

19 communicate with anybody at Victory Mitsubishi

20 following sending that contact card?

21 A. Not the -- the guy that spoke to me about the

22 whole bring the car in, he just said, just bring the

23 car. And that's it, you're finished. And so I never

24 called no more. I didn't even bother asking about the

25 other car. I just left it alone.

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2 Q. Just trying to clarify these text messages in

3 Plaintiff's 16, these are all with the same phone

4 number; is that correct?

5 A. You're talking about September?

6 Q. Yeah, the one with the ID and --

7 A. Yeah, it's all the same phone.

8 Q. Okay. And so that's the -- that's the person

9 who you spoke with who told you he'd put you in a new

10 car?

11 MR. KESHAVARZ: Objection to form.

12 THE WITNESS: Are you talking about that 995

13 number?

14 BY MR. SELVEY:

15 Q. What?

16 A. Are you talking about that 347-995 number?

17 Q. The number that you texted Jami's ID and

18 Social to?

19 A. Yeah, that's the person that I was texting.

20 Q. And that's the person you -- is that the same

21 number who you spoke to the person --

22 A. That was the person that -- when I went to go

23 bring them the car back the second day, after the --

24 after the first person called me on the phone. That's

25 the person I spoke to.

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<p>1 E. Laforest</p> <p>2 Q. Sorry. Say it again.</p> <p>3 A. All right. When I first got the phone call</p> <p>4 about her -- the second phone call that I had got when</p> <p>5 I -- when I returned to call on the 26th --</p> <p>6 Q. Yeah.</p> <p>7 A. -- when I was -- when I returned the car on</p> <p>8 the 26th, I spoke to somebody different.</p> <p>9 Q. Than the first time?</p> <p>10 A. Yeah. This is the -- when I sent the -- when</p> <p>11 I sent the ID, that's the same person that I sent the</p> <p>12 ID to. The person that I -- when I -- when I brought</p> <p>13 the car back and I parked, this is the same person I</p> <p>14 sent the ID to.</p> <p>15 Q. All right. And that's the same person --</p> <p>16 A. I sent ID to, the video, and Farah's contact</p> <p>17 to.</p> <p>18 Q. And that's the same person who told you he'd</p> <p>19 put you in, like, a Honda or something, or that's a</p> <p>20 different person?</p> <p>21 A. No, the person that called me and told me he</p> <p>22 wanted to get rid of the headache, he is the one that</p> <p>23 told me he'll put me in something different.</p> <p>24 Q. Okay. So this is -- this is the other guy?</p> <p>25 A. Yeah.</p>	<p>1 E. Laforest</p> <p>2 A. Correct.</p> <p>3 Q. So you had already invested over \$10,000.</p> <p>4 A. Yeah. But once I found out that my name</p> <p>5 wasn't going to be on the title, it was all her, what</p> <p>6 like -- what would be the purpose of that? She's</p> <p>7 already -- she's already asking my brother if he wants</p> <p>8 the car.</p> <p>9 Q. Well, what -- what I'm trying to understand is</p> <p>10 if -- if the person at Victory offered you the</p> <p>11 opportunity to roll that over into a new car --</p> <p>12 A. He didn't say nothing about rolling it over.</p> <p>13 What he said was -- he said something about reversing</p> <p>14 the transaction and he'll -- he'll try to -- he'll put</p> <p>15 me in a new car. But -- because for the fact that I</p> <p>16 put so much money down.</p> <p>17 Q. Right. So reversing the transaction, did you</p> <p>18 understand that to mean that you would get your money</p> <p>19 back or did you understand that they would keep your</p> <p>20 money if the transaction was reversed?</p> <p>21 A. He didn't say nothing about giving me no</p> <p>22 money. He just said he'll put me in a new car.</p> <p>23 Q. Okay. Did he say anything about what would</p> <p>24 happen to your deposit in that situation?</p> <p>25 A. No.</p>
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<p>1 E. Laforest</p> <p>2 Q. Okay. Got it. So why did you send that</p> <p>3 person Jami's ID and Social?</p> <p>4 A. Because he asked for it.</p> <p>5 Q. Did he said it was because he was going to put</p> <p>6 you in a new car, or did he tell you something else, or</p> <p>7 why did he ask for it?</p> <p>8 A. Because I had the conversation with him. I</p> <p>9 told him what's going to go -- what was going to happen</p> <p>10 with the other car. He was like, just send me the --</p> <p>11 the information. So I sent it to him. Then a couple</p> <p>12 of days later, he asked me for her -- I guess -- for</p> <p>13 her number, so I sent him that number. But he never</p> <p>14 spoke about the car, so I just left it alone.</p> <p>15 Q. All right. Why didn't you follow up with</p> <p>16 Victory about getting another car?</p> <p>17 A. I just wanted to leave it alone, honestly. I</p> <p>18 just wanted to say forget about it.</p> <p>19 Q. All right. Well, you -- you had -- you had</p> <p>20 put down \$8,600 as a -- as a down payment, correct?</p> <p>21 A. Yeah.</p> <p>22 Q. And you testified earlier that you had been</p> <p>23 making monthly payments of \$601 per month --</p> <p>24 A. Yeah.</p> <p>25 Q. -- at least four or five of them, correct?</p>	<p>1 E. Laforest</p> <p>2 Q. All right. Did you ever ask what would happen</p> <p>3 to your deposit?</p> <p>4 A. No.</p> <p>5 Q. All right. I'm just trying to -- maybe you</p> <p>6 can explain if I just ask you what -- what made it so</p> <p>7 that you were willing to leave over \$10,000 in deposit</p> <p>8 and equity in cash money in some circumstances that you</p> <p>9 gave them on the table and just walk away?</p> <p>10 A. Because one, I didn't want to get in trouble</p> <p>11 no more and I was just tired. I was just -- I just</p> <p>12 left it alone.</p> <p>13 Q. Okay. And you were worried about getting in</p> <p>14 trouble because you used Ms. Francois's information to</p> <p>15 take out a vehicle without her knowledge?</p> <p>16 A. I mean, when we spoke about it, she told me it</p> <p>17 was okay. I wasn't -- that's not what I was thinking</p> <p>18 at the time. I was, like, okay, once I finish paying</p> <p>19 it off maybe she'll sign off the title to me or</p> <p>20 whatever. But that's not how it played out.</p> <p>21 MR. SELVEY: Can we take a -- a quick break</p> <p>22 considering we've been here for --</p> <p>23 MR. KESHAVARZ: Yeah. Just real quick.</p> <p>24 THE WITNESS: How long is this going to be?</p> <p>25 FURTHER EXAMINATION</p>

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<p style="text-align: right;">Page 137</p> <p>1 E. Laforest</p> <p>2 BY MR. KESHAVARZ:</p> <p>3 Q. I just have one or two more questions, sir.</p> <p>4 But so I just want to clarify, the texting of Jami's</p> <p>5 driver's license, it had a phone number that you texted</p> <p>6 it to. Do you know whether or not that was the same</p> <p>7 phone number as the person from the dealership who</p> <p>8 talked to you around September 25th?</p> <p>9 A. It was two different voices.</p> <p>10 Q. Two different voices.</p> <p>11 A. When I -- when I brought the car -- you're</p> <p>12 talking about the person that told me to bring the car</p> <p>13 back, right?</p> <p>14 Q. Yes.</p> <p>15 A. And then the person that when I parked the car</p> <p>16 and I called?</p> <p>17 Q. Yes.</p> <p>18 A. It's two different people. It's two different</p> <p>19 people.</p> <p>20 Q. All right. So what I'm trying to figure out</p> <p>21 is -- oh, so the -- the text with Jami's driver's</p> <p>22 license, that is after you returned the car?</p> <p>23 A. Yes, this is after I returned the car.</p> <p>24 Q. Oh. Oh, I get it. Okay. But -- so the</p> <p>25 person who you described as a white guy, maybe on the</p>	<p style="text-align: right;">Page 139</p> <p>1 E. Laforest</p> <p>2 A. This was before -- before I turned -- before I</p> <p>3 returned the car.</p> <p>4 Q. How much before?</p> <p>5 A. A day.</p> <p>6 Q. A day before?</p> <p>7 A. Yeah. A day.</p> <p>8 Q. Okay. But the person who told you on the</p> <p>9 phone to bring the car back in, that was the person who</p> <p>10 you said sounded like a white guy or am I getting,</p> <p>11 like, people mixed up?</p> <p>12 A. Yeah. He sounded like a white guy.</p> <p>13 Q. Okay. Now, was the phone number that he used</p> <p>14 on your caller ID that he called you with?</p> <p>15 A. It was, like, a 606 number.</p> <p>16 Q. Okay. And that number was different than the</p> <p>17 number that you texted the photo to?</p> <p>18 A. Yes.</p> <p>19 MR. KESHAVARZ: Okay. My point -- that's</p> <p>20 what -- what I was trying to find out. I -- I don't</p> <p>21 have any more questions.</p> <p>22 MR. SELVEY: I -- I have a few, but I would</p> <p>23 like to take a break, if that's all right?</p> <p>24 THE WITNESS: How long is that going to be?</p> <p>25 MR. SELVEY: Just -- I just need to go to the</p>
<p style="text-align: right;">Page 138</p> <p>1 E. Laforest</p> <p>2 phone who said about bringing the --</p> <p>3 A. Jami Singer's ID was on the day he had called</p> <p>4 me about returning the car. He called me and I've</p> <p>5 done -- I sent -- I sent him the ID and the Social.</p> <p>6 And then the next day -- the next morning, I returned</p> <p>7 this car. I went out there and returned this car. I</p> <p>8 returned the car on the 26th.</p> <p>9 Q. All right. So did you text Jami's ID before</p> <p>10 or after your returned the car? I'm trying to</p> <p>11 understand.</p> <p>12 A. The day that he told me that he was going to</p> <p>13 put me in a new car, that's when I -- I texted the ID</p> <p>14 and the Social.</p> <p>15 Q. So but that was after you returned it because</p> <p>16 he told you, you were getting in --</p> <p>17 A. Yeah. He was trying to tell me he would put</p> <p>18 me in a new car. I ended up -- I just ended up</p> <p>19 texting. Like, because I was going to end up returning</p> <p>20 it that same day, but I had to go pick up my son. So</p> <p>21 he's like, just come in the morning time and return the</p> <p>22 car.</p> <p>23 Q. Okay. But after you returned the car, that's</p> <p>24 when you texted that driver's license of Jami or was it</p> <p>25 before you turned in the car?</p>	<p style="text-align: right;">Page 140</p> <p>1 E. Laforest</p> <p>2 bathroom.</p> <p>3 THE WITNESS: How many questions?</p> <p>4 MR. SELVEY: I -- I don't have, like, a number</p> <p>5 of questions. I just have a few more questions to</p> <p>6 follow up on.</p> <p>7 MR. KESHAVARZ: The 5:00 meeting, is that</p> <p>8 going to be on Zoom?</p> <p>9 MS. CATERINE: Yes.</p> <p>10 MR. KESHAVARZ: We have a 5:00 meeting with a</p> <p>11 client via Zoom.</p> <p>12 MR. SELVEY: Okay. Yeah.</p> <p>13 MR. KESHAVARZ: Is there any way you could</p> <p>14 just wrap this up?</p> <p>15 MR. SELVEY: I -- I can try. I'm not sure. I</p> <p>16 guess that's --</p> <p>17 THE REPORTER: The time is 4:40 p.m. Eastern</p> <p>18 Time and we're off the record.</p> <p>19 (A recess was taken.)</p> <p>20 THE REPORTER: Time is 4:44 p.m. Eastern</p> <p>21 Time. We're back on the record.</p> <p>22 RECROSS-EXAMINATION</p> <p>23 BY MR. SELVEY:</p> <p>24 Q. All right. Mr. Laforest, I'm going to try and</p> <p>25 get through this as quickly as possible for you. I</p>

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<p style="text-align: right;">Page 141</p> <p>1 E. Laforest</p> <p>2 know everybody wants to get out of here. Getting back</p> <p>3 to the -- the criminal case in this situation, what --</p> <p>4 did you ever learn why the case was discontinued?</p> <p>5 A. What you mean, dismissed?</p> <p>6 Q. Yes.</p> <p>7 A. I don't know. My lawyer didn't tell me much.</p> <p>8 I was going back to court for like -- like the whole</p> <p>9 2021.</p> <p>10 Q. Okay. Were you -- so you were arraigned?</p> <p>11 A. I was arraigned. I got DOT.</p> <p>12 Q. Okay. And --</p> <p>13 A. I was going back and forth to court because</p> <p>14 when they came and got me, my son was -- my -- I had</p> <p>15 left my son by himself and my grandmother had to come</p> <p>16 and come pick him up.</p> <p>17 Q. Okay. But then at some point you're lawyer</p> <p>18 just told you that the case was dismissed?</p> <p>19 A. Yeah. I was supposed to go to court in</p> <p>20 November of 2021. And he said they -- they dismissed</p> <p>21 the case and sealed it.</p> <p>22 Q. All right. Did you ever speak with Farah</p> <p>23 about that case?</p> <p>24 A. No. I was just -- I wasn't allowed to, so --</p> <p>25 Q. Okay. Do you know if she was a cooperating</p>	<p style="text-align: right;">Page 143</p> <p>1 E. Laforest</p> <p>2 Q. This -- this deposition.</p> <p>3 A. No.</p> <p>4 Q. When was the last time you spoke with Farah?</p> <p>5 A. The last time I spoke to her is when we agreed</p> <p>6 on me paying for the car in December.</p> <p>7 Q. Okay. And that was -- that was the June, July</p> <p>8 conversation.</p> <p>9 A. Yeah.</p> <p>10 Q. You didn't talk to her at all after that?</p> <p>11 MR. KESHAVARZ: Objection to the form of the</p> <p>12 question.</p> <p>13 THE WITNESS: No.</p> <p>14 BY MR. SELVEY:</p> <p>15 Q. Okay. Okay. Have you ever been convicted of</p> <p>16 forgery or misuse of private documents?</p> <p>17 A. Yeah, in 2011.</p> <p>18 Q. 2011. Where was that?</p> <p>19 A. It was in Ohio.</p> <p>20 Q. Ohio. And what was the result of that</p> <p>21 conviction?</p> <p>22 A. I did 12 months.</p> <p>23 Q. In Ohio?</p> <p>24 A. Yeah. I mean, 11 months.</p> <p>25 Q. Do you have any other criminal convictions in</p>
<p style="text-align: right;">Page 142</p> <p>1 E. Laforest</p> <p>2 witness in that case?</p> <p>3 A. When they first arrested me the detective had</p> <p>4 called her and they spoke. I don't know what they</p> <p>5 really spoke about. But then he came downstairs. He</p> <p>6 was like, I -- I found out that you returned the car or</p> <p>7 whatever so I didn't want to DNT [phonetic] you and you</p> <p>8 just got to go -- you got to report back to court on --</p> <p>9 on the date that they had it on the desk appearance</p> <p>10 ticket.</p> <p>11 Q. Okay. But -- so do you know if -- if</p> <p>12 Ms. Francois was a complaining witness in that case?</p> <p>13 A. Not too sure. My lawyer never really spoke on</p> <p>14 her so I don't know.</p> <p>15 Q. But did they tell you not to communicate with</p> <p>16 her about the case?</p> <p>17 A. Yeah.</p> <p>18 Q. All right. Was there anybody else they told</p> <p>19 you not to communicate with about the case?</p> <p>20 A. No. It was just her.</p> <p>21 Q. Just her. Okay. Did you ever speak with</p> <p>22 Ms. Francois about this case?</p> <p>23 A. Which case?</p> <p>24 Q. The case that we're here for today?</p> <p>25 A. This deposition?</p>	<p style="text-align: right;">Page 144</p> <p>1 E. Laforest</p> <p>2 Ohio?</p> <p>3 A. No.</p> <p>4 Q. What about Maryland?</p> <p>5 A. Yeah.</p> <p>6 Q. What -- what criminal convictions do you have</p> <p>7 in Maryland?</p> <p>8 A. I have to think. I think it was -- I forgot</p> <p>9 what they charged me with.</p> <p>10 Q. All right. Did you ever plead guilty to</p> <p>11 forgery in Maryland?</p> <p>12 A. Yeah. I think it was that, yeah.</p> <p>13 Q. All right. What -- and briefly, what were the</p> <p>14 circumstances of that?</p> <p>15 A. They gave me four months.</p> <p>16 Q. What was the -- what was the subject matter</p> <p>17 that you pled guilty to forgery about? What -- what</p> <p>18 were -- what were you accused of forging?</p> <p>19 A. I wasn't accused. My friend was accused, and</p> <p>20 I was in the car with him, and it was traveler's</p> <p>21 checks.</p> <p>22 Q. Okay. And did you have anything to do with</p> <p>23 that?</p> <p>24 A. No.</p> <p>25 Q. All right. But you pledged guilty and -- and</p>

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<p style="text-align: right;">Page 145</p> <p>1 E. Laforest</p> <p>2 were sentenced to four months?</p> <p>3 A. Yeah.</p> <p>4 Q. Okay. We ever convicted of driving under the</p> <p>5 influence of alcohol in Maryland?</p> <p>6 A. I think they dropped that one.</p> <p>7 Q. All right. So if I told you that there was</p> <p>8 disposition of guilty in 2017, would you say that that</p> <p>9 was inaccurate?</p> <p>10 A. 2017? In 2017, I came home from Maryland.</p> <p>11 MR. KESHAVARZ: You came home from?</p> <p>12 THE WITNESS: Maryland.</p> <p>13 BY MR. SELVEY:</p> <p>14 Q. Right. But -- but again, if I -- if I told</p> <p>15 you that there was a disposition date of guilty in</p> <p>16 January of 2017 from a charge that was filed in 2014,</p> <p>17 and the disposition was guilty, would you have any</p> <p>18 recollection of that?</p> <p>19 A. No.</p> <p>20 Q. What about a possession of marijuana in</p> <p>21 Maryland?</p> <p>22 A. Yes, I had weed on me.</p> <p>23 Q. All right. How about reckless driving?</p> <p>24 A. I think so. I'm not too sure.</p> <p>25 Q. Okay. What about driving on a revoked</p>	<p style="text-align: right;">Page 147</p> <p>1 E. Laforest</p> <p>2 A. That was for Ohio. Ohio had to come and pick</p> <p>3 me up from there.</p> <p>4 Q. So that was related to the theft charge that</p> <p>5 you did --</p> <p>6 A. In Ohio.</p> <p>7 Q. -- 11 months for in Ohio?</p> <p>8 A. Yeah, Ohio had to come pick me up from there.</p> <p>9 Q. Okay. Okay. So the New Jersey charge is</p> <p>10 ancillary to that?</p> <p>11 A. Yeah.</p> <p>12 Q. Okay. And what were the circumstances? You</p> <p>13 said something involving a MacBook; is that correct?</p> <p>14 A. Yes that was in Ohio.</p> <p>15 Q. All right. And -- and were you guilty of that</p> <p>16 offense?</p> <p>17 A. What, the MacBook?</p> <p>18 Q. Yeah.</p> <p>19 A. Yeah.</p> <p>20 Q. What happened there?</p> <p>21 A. Huh?</p> <p>22 Q. What happened there?</p> <p>23 A. I mean, I was young, trying to get money.</p> <p>24 Q. All right. So -- so what happened in a little</p> <p>25 more detail? I don't want to press the issue. I know</p>
<p style="text-align: right;">Page 146</p> <p>1 E. Laforest</p> <p>2 license?</p> <p>3 A. Yeah.</p> <p>4 Q. All right. And negligent driving?</p> <p>5 A. What's negligence driving, like --</p> <p>6 Q. Just driving -- driving negligently, I assume.</p> <p>7 A. I'm not too sure.</p> <p>8 Q. You don't remember that? All right. What</p> <p>9 about following too closely to another vehicle?</p> <p>10 A. Probably.</p> <p>11 Q. Unsafe lane changing?</p> <p>12 A. No.</p> <p>13 Q. How about making false statements to a -- a</p> <p>14 police officer?</p> <p>15 A. Yeah, most of them charges got dropped.</p> <p>16 Q. Okay. How about you receiving stolen property</p> <p>17 in New Jersey?</p> <p>18 A. Yeah, that -- that got dropped.</p> <p>19 Q. That got dropped?</p> <p>20 A. Yeah.</p> <p>21 Q. So if I mentioned a disposition of guilty and</p> <p>22 a disposition date of February 6th, 2013, in Hudson</p> <p>23 county, would that refresh your recollection at all?</p> <p>24 A. No.</p> <p>25 Q. No?</p>	<p style="text-align: right;">Page 148</p> <p>1 E. Laforest</p> <p>2 we're pressed for time.</p> <p>3 A. The girl that I was with ended up telling on</p> <p>4 me. She was in the store. She got arrested and ended</p> <p>5 up telling on me.</p> <p>6 Q. So is that retail theft or --</p> <p>7 A. Yeah. Retail.</p> <p>8 Q. Okay. All right. Do you have any current</p> <p>9 criminal charges pending?</p> <p>10 A. I just got a DUI that I'm going to a program</p> <p>11 for.</p> <p>12 Q. And what is that program?</p> <p>13 A. Realization Center.</p> <p>14 Q. All right. And so that's for the arrest on</p> <p>15 February 18, of 2022?</p> <p>16 A. Correct.</p> <p>17 Q. All right. And you were charged there with</p> <p>18 operating a vehicle under the influence of drugs or</p> <p>19 alcohol?</p> <p>20 A. Yeah. But they had dropped it because I</p> <p>21 was -- I was parked, though.</p> <p>22 Q. Okay. Well, have they dropped it or are you</p> <p>23 going to a program?</p> <p>24 A. No, I'm going to a program.</p> <p>25 Q. Okay. So if you complete the program, they've</p>

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<p style="text-align: right;">Page 149</p> <p>1 E. Laforest</p> <p>2 promised to drop those charges?</p> <p>3 A. Yeah.</p> <p>4 Q. Okay. But then, currently, those charges are</p> <p>5 still pending -- pending your completion of the</p> <p>6 program?</p> <p>7 A. Yeah.</p> <p>8 Q. Okay. And you have a -- I see a prior</p> <p>9 conviction for operating a vehicle under the influence</p> <p>10 in New York City -- or New York State, rather?</p> <p>11 A. Yes.</p> <p>12 Q. All right. That's in 2017?</p> <p>13 A. Yeah.</p> <p>14 Q. And you pled guilty to that?</p> <p>15 A. Yeah. But that's dismissed. I don't mean --</p> <p>16 that case is all good.</p> <p>17 Q. Yeah. It was 2017. I just -- I'm just</p> <p>18 confirming my -- my notes. And you're sure you were</p> <p>19 alone when you went to Victory Mitsubishi in --</p> <p>20 A. I am -- I am certain on that.</p> <p>21 Q. All right. You sure you didn't bring your</p> <p>22 girlfriend who pretended to be Farah Jean Francois?</p> <p>23 A. I got no girlfriend. I got cameras.</p> <p>24 MR. SELVEY: Okay. All right. I think that's</p> <p>25 all I have for you.</p>	<p style="text-align: right;">Page 151</p> <p>1 E. Laforest</p> <p>2 be -- that will be good. You have four minutes until</p> <p>3 your call.</p> <p>4 MR. KESHAVARZ: Sure.</p> <p>5 THE REPORTER: The time is 4:54 p.m. Eastern</p> <p>6 Time. We are off the record.</p> <p>7 (The deposition concluded at 4:54 p.m.)</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 150</p> <p>1 E. Laforest</p> <p>2 THE WITNESS: Okay.</p> <p>3 MR. KESHAVARZ: There wasn't anything in</p> <p>4 Florida -- no arrests or charges in Florida?</p> <p>5 THE WITNESS: No.</p> <p>6 MR. SELVEY: All right. I appreciate your</p> <p>7 time.</p> <p>8 THE WITNESS: Thank you.</p> <p>9 MR. KESHAVARZ: Sorry, we have to run. We</p> <p>10 have a 5:00 call.</p> <p>11 THE WITNESS: (Audio interruption).</p> <p>12 MS. CATHERINE: No.</p> <p>13 MR. SELVEY: While we're sitting here, I'm</p> <p>14 going to assume that you-all scanned --</p> <p>15 MR. KESHAVARZ: Or e-mail, yeah.</p> <p>16 THE REPORTER: Transcript orders. You going</p> <p>17 to get the original?</p> <p>18 MS. CATHERINE: We don't need a physical copy</p> <p>19 of the transcript, just --</p> <p>20 MR. KESHAVARZ: We also have to get -- you</p> <p>21 still owe us a document response to our objections we</p> <p>22 reserved.</p> <p>23 THE REPORTER: Mr. Selvey, are you going to</p> <p>24 take a transcript order?</p> <p>25 MR. SELVEY: Oh, yeah, I think so. That will</p>	<p style="text-align: right;">Page 152</p> <p>1 CERTIFICATE OF DIGITAL REPORTER</p> <p>2</p> <p>3 I, Keith Taylor, a Digital Reporter</p> <p>4 and Notary Public in and for the State of New York,</p> <p>5 do hereby certify:</p> <p>6</p> <p>7 That the foregoing witness was duly</p> <p>8 sworn; that the proceeding took place before me at</p> <p>9 the time and place herein set forth; that the</p> <p>10 testimony and proceedings were accurately captured</p> <p>11 with annotations by me during the proceeding.</p> <p>12</p> <p>13 I further certify that I am not related</p> <p>14 to any of the parties to this action by blood or</p> <p>15 marriage and that I am in no way interested in the</p> <p>16 outcome of this matter.</p> <p>17</p> <p>18 IN WITNESS THEREOF, I have hereunto set</p> <p>19 my hand this 7th day of November 2022.</p> <p>20</p> <p>21</p> <p>22 <i>Keith Taylor</i></p> <p>23 Keith Taylor</p> <p>24 Notary Commission New York/01TA6432580</p> <p>25 Commission Expires: May 2, 2026</p>

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1 CERTIFICATE OF TRANSCRIPTIONIST

2

3

4 I, Jesika Knight, Legal Transcriptionist,

5 do hereby certify:

6 That the foregoing is a complete and true

7 transcription of the original digital audio recording

8 of the testimony and proceedings captured in the

9 above-entitled matter. As the transcriptionist, I

10 have reviewed and transcribed the entirety of the

11 original digital audio recording of the proceeding to

12 ensure a verbatim record to the best of my ability.

13 I further certify that I am neither attorney

14 for nor a relative or employee of any of the parties

15 to the action; further, that I am not a relative or

16 employee of any attorney employed by the parties

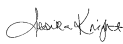
17 hereto, nor financially or otherwise interested in the

18 outcome of this matter.

19 IN WITNESS THEREOF, I have hereunto set my

20 hand this 7th day of November 2022.

21

22 

23 _____

24 Jesika Knight

25

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1 DEPOSITION ERRATA SHEET

2

3 Assignment No. J8796531

4 Case Caption: FARAH JEAN FRANCOIS vs. VICTORY AUTO

5 GROUP LLC d/b/a VICTOYR MITSUBISHI, ET AL

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7

8 DECLARATION UNDER PENALTY OF PERJURY

9

10 I declare under penalty of perjury that I have

11 read the entire transcript of my deposition taken in

12 the above-captioned matter or the same has been read

13 to me, and the same is true and accurate, save and

14 except for changes and/or corrections, if any, as

15 indicated by me on the DEPOSITION ERRATA SHEET

16 hereof, with the understanding that I offer these

17 changes as if still under oath.

18 Signed on the _____ day of _____,

19 20__.

20

21 _____

22 EMMANUEL LAFOREST

23

24

25

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1 DEPOSITION ERRATA SHEET

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24 SIGNATURE: _____ DATE: _____

25 EMMANUEL LAFOREST

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24 SIGNATURE: _____ DATE: _____

25 EMMANUEL LAFOREST